



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.06.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P. (MD) .No.9989 of 2012

and

M.P. (MD) .No.1 of 2012

WEB COPY

S.Chellathurai

... Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The Block Development Officer,
Kallikudi,
Madurai District.

3.The President,
Kurayur Panchayat,
Kurayur,
Thirumangalam Taluk,
Madurai District.

4.Pandiselvi

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned house tax receipts dated 15.12.2011 bearing No.5599 and 03.01.2012 bearing No.6037 issued by the third respondent in the name of the fourth respondent and quash the same as illegal and consequently direct the third respondent to cancel the same and issue house tax receipts in favour of the petitioner's name Chellathurai.

For Petitioner : Mr.D.Sivaraman

For R-1 and R-2 : Mr.S.Shanmugavel,
Additional Government Pleader.

For R-3 : Mr.A.K.Baskara Pandian

For R-4 : Mr.K.P.S.Palanivelrajan

ORDER

The present Writ Petition has been filed to quash the house tax receipt issued by the third respondent in the name of the fourth respondent.

<https://hcservices.ecourts.gov.in/hcservices/>



2. According to the writ petitioner, he is the owner of the property based on the settlement deed dated 10.12.1979 which has been executed by the father of the petitioner along with other family members. Though the house tax was standing in the name of the writ petitioner from the year 2004 onwards, suddenly in the year 2011 without notice to the petitioner or conducting any enquiry, the house tax receipts were started to be issued in the name of the fourth respondent. Hence, this order is under challenge.

3. It is admitted on either side that three suits namely O.S.Nos.153 of 2009, 3 of 2010 and 298 of 2009 were filed between the same parties with regard to the same properties which are pending before the District Munsif Court, Thirumangalam. All the three suits have been clubbed together and the arguments were reserved in the year March 2022. However, at the instance of the fourth respondent, an application has been filed for reopening of the said suits.

4. No purpose would be served by passing an order in the Writ Petition because it depends upon the results of the suits pending on the file of the District Court, Thirumangalam.

5. Hence, I am inclined to pass following order:

"The District Munsif Court is directed to dispose of all the suits on or before 30.09.2022 and report the same to the Registry, any deviation will be strictly viewed".

6. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

Nsr

To

1.The District Collector,
Madurai District.

2.The Block Development Officer,
Kallikudi,
Madurai District.



3.The District Munsif,
Thirumangalam.

COPY TO:

The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.

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+1 CC to M/s.SPL.GP (SR-26535[F] dated 17/06/2022)

W.P. (MD) .No.9989 of 2012

16.06.2022

SS(29.06.2022) 3P 6C