



WEB COPY



W.P.No.1694 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **30.01.2023**

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.1694 of 2023

Pastor Mr.R.Jayapaul

.. Petitioner

Vs.

1. The District Collector,
Chengalpattu District,
Chengalpattu.

2. The Village President,
Trisoolam First Grade Panchayath,
Thrisoolam, Chennai - 600 043.

3. The Panchayat Secretary,
Trisoolam First Grade Panchayath,
Trisoolam, Chennai - 600 043.

4. "Pallavaram Christian Assembly"
Rep. by Ganesan @ Nigemia,
No.2/481, Kannabiran Koil Street,
Thrisoolam, Chennai - 600 043.

.. Respondents

Prayer : Writ Petition has been filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents 1 to 3 to consider and pass order on the petitioner's representation dated 17.11.2022 in accordance with law.

For Petitioner

: Mr.G.V.Sridharan



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For Respondent 1 : Mr.Karthik Jeganath
Government Advocate

For Respondents 2 & 3 : Mr.V.Ravi
Additional Government Pleader

For Respondent 4 : Mr.G.Thalaimutharasu

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ORDER

Seeking a direction to consider the representation of the petitioner dated 17.11.2022, the writ petition has been filed.

2. According to the petitioner, the property bearing Door No.2/481 at Kannabiran Koil Street, Thrisoolam, Chennai belongs to him. He was paying the property tax and water tax to the Trisoolam Panchayat without any default. When the matter stood thus, the third respondent Panchayat Secretary now refused to receive water tax and property tax and receipts have not been issued to him. Therefore, he gave a representation and as the same was not considered he filed the present writ petition.

3. The learned Additional Government Pleader appearing for the second respondent Panchayat would submit that the petitioner was only a



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Pastor in the fourth respondent Church and he was removed in the year 2019

and thereafter in 2020 name transfer has taken place.

4. The learned counsel appearing for the fourth respondent would submit that the petitioner has suppressed many facts and the petitioner has filed a suit for injunction which was already dismissed by the Trial Court and the petitioner has no right over the property.

5. At this stage, the learned counsel appearing for the petitioner would submit that already a suit for declaration has been filed before the learned Principal District Judge, Chengalpattu to declare that he is the owner of the property and the fourth respondent has entered appearance. Therefore, his contention is that his representation has to be considered.

6. From the above submissions and a perusal of the judgment made in O.S.No.14 of 2020 on the file of the learned Additional District Munsif, Alandur makes it clear that there is a property dispute between the petitioner and the fourth respondent. As the Civil Suit is already pending before the trial Court as per the petitioner, let the Civil Court decide the rights of the parties.



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WEB COPY 7. Such view of the matter, there cannot be any direction by way of writ. Accordingly, this writ petition is dismissed. No costs.

30.01.2023

Index : Yes / No

Neutral Citation : Yes / No

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To

1. The District Collector,
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N.SATHISH KUMAR, J.

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