



W.P(MD)No.19414 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 26.07.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.19414 of 2015

and

W.M.P.(MD)No.1 of 2015

S.Charles

... Petitioner

Vs.

**1.The Assistant Director of Town Panchayats,
New Collectorate Building,
Trichy.**

**2.The Executive Officer,
Kallakudi Town Panchayat,
Kallakudi,
Trichy District.**

3.M.Y.Sadiq Ali

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 2nd respondent not to issue the plan approval and property tax receipt by including the petitioner property in the name of 3rd respondent, to an extent of 11 1/2 cents comprised in Survey No. 273/10 Kallakudi Village, Lalkudi Taluk Tiruchy District.

For Petitioners : Mr.P.Sivachandran



W.P(MD)No.19414 of 2015

For Respondents : Mrs.K.Christy Theboral
Additional Government Pleader for R1

: Mr.M.Rajarajan for R2

: Mr.R.Devaraj for R3

ORDER

Heard the learned counsel on either side.

2. The petitioner wants this Court to direct the local body/ R2 herein not to include the petitioner's property while assessing the property of the third respondent.

3. When the matter was taken up for hearing, the learned counsel appearing for the petitioner submitted that in spite of his best efforts, he could not contact the petitioner. On the other hand, the learned counsel appearing for the third respondent submitted that O.S.No.190 of 2018 filed by the petitioner against the third respondent on the file of the Sub Court, Lalgudi was dismissed as withdrawn. Cause of action for the present writ petition as well as the suit are one and the same. The copy of the decree dated

2/4



W.P(MD)No.19414 of 2015

25.08.2022 in O.S.No.190 of 2018 has also been produced. In these circumstances, the relief sought for cannot be granted.

4. The Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

26.07.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To

The Assistant Director of Town Panchayats,
New Collectorate Building,
Trichy.



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G.R.SWAMINATHAN, J.

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