



W.P.(MD)No.22355 of 2016

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.22355 of 2016
and
W.M.P.(MD)No.16020 of 2016

A.Kottai

... Petitioner

versus

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.

2. The Block Development Officer,
R.S.Mangalam Union,
R.S.Mangalam,
Thiruvadanai Taluk,
Ramnad District.

3. M.Durairaj

... Respondents

Writ Petition filed under Article 226 of the Constitution of India,
seeking for the issuance of Writ of Mandamus, to direct the 1st and 2nd
respondents to immediately replace the name of the petitioner in his



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residential House Tax Receipt in Tax Assessment No.488 for his house in Door No.2/155-2 situated at Sappaniendhal Village, Rajasingamangalam Union, Ramanathapuram Taluk.

For Petitioner : Mr.R.Sevugaraja
For R1 : Mr.P.T.Thiraviam,
Government Advocate
For R2 : No appearance
For R3 : Mr.C.Jeyaprakash

ORDER

This writ petition is filed for a Mandamus, directing the first and second respondents to immediately replace the name of the petitioner in his residential House Tax Receipt in Tax Assessment No.488 for his house in Door No.2/155-2 situated at Sappaniendhal Village, Rajasingamangalam Union, Ramanathapuram Taluk.

2. The learned counsel appearing for the petitioner submits that the petitioner is the absolute owner of the property in Door No.2/155-2 in the above mentioned address. However, the Revenue Divisional



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Officer has passed an order in favour of the third respondent and the house tax receipts also stand in the name of the third respondent. As against the same, the petitioner has filed a revision petition before the District Revenue Officer, which was also dismissed. Now, the petitioner has preferred a Civil Suit in O.S.No.97 of 2018 before the District Munsif Court, Thiruvadanai, seeking the relief of declaration and permanent injunction and it is at the stage of trial.

3. Considering that the petitioner has already instituted the suit proceedings in O.S.No.97 of 2018 and it is at the stage of trial, this writ petition is disposed of, by giving liberty to the petitioner to work out his remedy in O.S.No.97 of 2018, pending before the District Munsif Court, Thiruvadanai.

4. Considering that the suit in O.S.No.97 of 2018 is still kept pending without any progress, the District Munsif Court, Thiruvadanai, is directed to conclude the trial, within a period of eight months from



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the date of receipt of a copy of this order. No costs. Consequently,
connected miscellaneous petition is closed.

21.06.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.
2. The Block Development Officer,
R.S.Mangalam Union,
R.S.Mangalam,
Thiruvadanai Taluk,
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B.PUGALENDHI, J.

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