



W.P(MD)No.28906 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28906 of 2022

and

W.M.P.(MD)Nos.22891 and 22892 of 2022

Parameswari,
Rep. through her Power of Attorney,
M.Inbaraj.

... Petitioner

Vs.

1.The Assistant Commissioner of Corporation,
Zone – V, Madurai City.

2.The Tahsildar,
Thiruparankundram Taluk,
Madurai District.

3.B.Sivasubramanian

4.B.Backiyalakshmi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, call for the entire records pertaining to the impugned letter of 2nd respondent in Na.Ka.No.4003/2020/C dated 12.11.2022 and quash the same as illegal.



WEB COPY



W.P(MD)No.28906 of 2022

For Petitioner : Mr.C.M.Arumugam

For Respondents : Mr.A.K.Manikkam,
Spl. Government Pleader for R2.
Mr.S.Vinayak,
Standing Counsel for R1.
Ms.M.Rajeswari for R3 & R4.

ORDER

Heard the learned counsel on either side.

2.The writ petitioner challenges the communication dated 12.11.2022 sent by the Tahsildar, Thiruparankundram Taluk to the Government Pleader, District Munsif Court, Madurai. Such a challenge is not clearly maintainable. It is true that copy of the same has been marked to the petitioner. But that will not confer any right to the petitioner to question the same. Any communication between the party and the counsel has certain privilege attached to it. The third respondent herein has given an application for conducting survey. This is objected by the petitioner/Inbaraj. According to Inbaraj, a civil suit is pending in this regard. Since objection has been received from Inbaraj, the Tahsildar has sought the opinion of the Government Pleader. In my view, the Thasildar is entitled to seek the assistance of the Government Pleader. This communication is privileged and cannot be subject matter of challenge. I make it clear that it is



W.P(MD)No.28906 of 2022

open to the petitioner to move this Court after if the petitioner is still aggrieved by the decision of the Tahsildar on the petitioner's objection.

3. With this liberty to the petitioner, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

03.03.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:

The Tahsildar,
Thiruparankundram Taluk,
Madurai District.



WEB COPY



W.P(MD)No.28906 of 2022

G.R.SWAMINATHAN, J.

ias

W.P(MD)No.28906 of 2022

03.03.2023