



W.P.(MD) No.5059 of 2016

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

**W.P.(MD) No.5059 of 2016
and
W.M.P.(MD) Nos.4503 and 4504 of 2016**

S.Muthukumar

... Petitioner

/vs./

1.The Commissioner,
Paramakudi Municipality,
Paramakudi,
Ramanathapuram District.

2.Paari

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records on the file of the 1st respondent pertaining to its proceedings bearing No.Pa.Ko.51/Pe.Ma.M.No. 71/15/A2 dated 08.01.2016 and to quash the same.

For Petitioner : Mr.S.C.Herold Singh

For R1 : Mr.A.Prasanna Rajadurai



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ORDER

The challenge in this writ petition is to the order of the name transfer made by the first respondent in favour of the second respondent.

2. The second respondent had filed a suit in O.S.No.142 of 2001 on the file of the Sub Court, Paramakudi seeking for specific performance of an agreement that he had entered into with the petitioner and was benefited with an *ex parte* decree, pursuant to which he had filed E.P.No.10 of 2010. The petitioner having knowledge of the *ex parte* decree only after the notice to the Execution Petition had also filed an application to set aside the *ex parte* decree along with an application to condone the delay and the same was dismissed, against which he had also preferred a Civil Revision Petition in CRP(MD) No.8981 of 2013, which also came to be dismissed. Against the order of CRP(MD) No.8981 of 2013, the petitioner had filed SLP.No.1377 of 2015 before the Hon'ble Apex Court and the same has also been dismissed. Challenging the same, a Review had also been filed in Review Diary No.7688 of 2016. It is also submitted that the Executing Court has also executed a sale deed in favour of the second respondent.



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3. In such circumstances, I do not find any infirmity in the order impugned in this writ petition and accordingly, the Writ Petition stands dismissed. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Index : Yes / No
Internet : Yes / No
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K.KUMARESH BABU, J.

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