



WEB COPY



W.P No.36579 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2025

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P No.36579 of 2025
and
W.M.P No.40886 of 2025

P.Ayyasamy

..... Petitioner

Vs

1.The District Collector
Office of the Collectorate
Singaravelar Maaligai
Kamarajaj Salai, Chennai-600 001

2.The Tahsildar
Mylapore Taluk, Chennai-600 028

3.Sulochana Respondents

PRAYER: This writ petition is filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, calling for the records of the impugned II Demand Notice No.A3/1050/2025 dated 30.06.2025, issued by the 2nd respondent and quash the same.

For Petitioner	:	Mr.S.Sathish Kumar
For R1 & R2	:	Mrs.S.Anitha Special Government Pleader
For R3	:	Notice dispensed with



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ORDER

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2. The case of the petitioner is that the petitioner and the 3rd respondent are husband and wife and due to some matrimonial dispute between them, the 3rd respondent has allegedly made a complaint dated 07.05.2010 before the Protection Officer, Social Welfare Department, Singaravelar Maligai, Chennai and thereafter, the said complaint was forwarded to the XIII Metropolitan Magistrate Court, Egmore, Chennai, in CrI.M.P No.4349 of 2010. Thereafter, a compromise was entered between them and on the basis of the compromise memo dated 07.02.2012, the above case was disposed and directed the petitioner to pay a sum of Rs.250/- per day to the 3rd respondent. But, the 3rd respondent did not inform the petitioner about the first marriage and out of the wedlock, two daughters were born to her. Since the petitioner failed to comply said order, the 3rd respondent filed a petition in CrI.M.P No.2040 of 2014 under Section 128 of Cr.P.C to take the affidavit and issue a direction to the petitioner to pay a sum of Rs.1,39,250/- in default of maintenance, directed the Collector of Chennai, authorizing him to realise the amount as arrears from the petitioner either by attachment or sale of his any movable or immovable



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property or both of them and directed to pay the same to the 3rd respondent.

The said petition was transferred to the learned Additional Mahila Court, Egmore and renumbered as DVC No.105 of 2016 and the said petition was allowed on 19.06.2018. Thereafter, the Additional Mahila Court, Egmore passed an order directing the District Collector, Chennai to attach the property of the petitioner and sell by auction to recover a sum of Rs.6,94,750/-. Without any notice, the 2nd respondent issued a demand notice dated 19.05.2025 and the petitioner has given a reply notice on 29.05.2025. Without considering the same, the 2nd respondent has issued the impugned II demand notice dated 30.06.2025. Challenging the same, the present writ petition is filed.

3.The learned counsel for the petitioner would submit that pursuant to the directions issued by this Court dated 06.10.2025, the petitioner has paid a sum of Rs. 3,94,750/- by way of a demand draft dated 18.10.2025 to the 3rd respondent. The remaining amount of Rs. 3,00,000/- shall be paid to the 3rd respondent, by way of a demand draft, within a period of eight weeks from the date of receipt of a copy of this order, before the Trial Court in CrI.M.P. No.2040 of 2014.



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4. Since no adverse order was passed against the 3rd respondent, notice to the 3rd respondent is dispensed with.

5. Recording the submission made by the learned counsel for the petitioner, this Court is inclined to direct the petitioner to pay the remaining amount of Rs. 3,00,000/- to the 3rd respondent within a period of eight weeks from the date of receipt of a copy of this order. Upon making the payment, the petitioner shall produce the receipt before the 2nd respondent. On receipt of the said proof, the 2nd respondent shall close the demand notice dated 30.06.2025. Further, if the 3rd respondent has any grievance regarding any additional claim or maintenance, she is at liberty to seek appropriate remedy in the manner known to law.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

29.10.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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To

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M.DHANDAPANI, J.

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