IN THE HIGH COURT OF JUDICATUARE AT MADRAS

DATED:9-9-2015

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THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P.No.24618 of 2015

M.Veeramani ... Petitioner

Vs.

The Executive Officer
Chinna Salem Town Panchayat
Chinna Salem Taluk,
Villupuram District. ... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent t Assess House Tax for the superstructure constructed as per building permit in S.No.351/2A, measuring about 418 sq.ft at Chinna Salem (South) Village, Chinna Salem Taluk, Villupuram District as stated in petitioner's representation dated 23.06.2015.

For Petitioner :Mr.R.Kumaravel
For Respondent :Mr.R.M.Muthukumar
Government Advocate

ORDER

The petitioner constructed a house in the land comprised in S.No.351.2A situated at Chinna Salem (South) Village, Chinna Salem Taluk, Villupuram District. The said land is measuring an 209 sq.ft. He purchased the property through sale deed dated 31.7.2014. Thereafter, he applied for building permit on 27.4.2015 and obtained building permission dated 10.06.2014 from the competent authority. The petitioner also remitted the prescribed fee in this regard. The construction is about 418 sq.ft. as per the building plan and it has been made. However, the property has not been assessed for tax and therefore, the petitioner has given a representation on 23.06.2015 and since no order has been passed, the petitioner is before this court.

2. Heard the learned counsel appearing for the petitioner and Mr.RM.Muthukumar, learned counsel appearing for the respondent.

3. It is evident from the record that the petitioner purchased the property through sale deed dated 31.07.2014 for the sale

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consideration and subsequently he applied for building permit on 27.4.2015 and also obtained building permission dated 10.6.2015 by paying the appropriate fee. The tax assessment also stands in the name of petitioner's vendor's husband.

4. More over, it is submitted by the learned Government Advocate that proceedings with regard to the property is pending. The petitioner's vendor has also no objection to assess property tax in the name of the petitioner and therefore, there should not be any problem in giving direction to the respondent to assess the property in the name of the petitioner. Therefore, the respondent is directed to pass appropriate orders on the representation of the petitioner dated 23.6.2015 as per law on merits in the light of the order passed by this Court within a period of four weeks from the date of the receipt of a copy of the order.

5. With the above, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

vk

To:
The Executive Officer
Chinna Salem Town Panchayat
Chinna Salem Taluk,
Villupuram District.

1 cc to Mr. R.Kumaravel, Advocate Sr.No.49192

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pmk.30.9.2015

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