

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2015

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.Nos.40498 to 40500 of 2015

N.P.S.Pandian .. Petitioner inWP.40498/15
P.Sibi .. Petitioner inWP.40499/15
P.Pari .. Petitioner inWP.40500/15

Vs.

The Commissioner
Namakkal Municipality
Namakkal-637 001. .. Respondents in all the WPs.

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondent to consider the representation of the petitioner dated 28.07.2015 by issuing suitable directions to the respondent to effect transfer by entering the names of the petitioner in the property tax records and to regulate the assessment of the property tax in respect of Tax Assessment Nos.774 to 824 in respect of the property bearing Door No.560 to 602, Salem Road, Namakkal-637 001.

For Petitioner : M/s.S.Sridhar
For respondent : M/s.M.Raja Mathivannan,
Standing Counsel

COMMON ORDER

The case of the petitioners is that the property in dispute was originally owned by late Chellappan, father of the petitioner in WP.No.40498 of 2015 and it was partitioned among the petitioners in OS.NO.113 of 2004, in which "A" Schedule property was allotted to father N.P.S.Pandian and "B" and "C" Schedules were allotted to sons Sibi and Pari respectively. The respondent Municipality assessed the property tax in the name of the original owner, therefore, the petitioners submitted representations dated 28.04.2015 and 28.07.2015 seeking change of name of the owner in the property tax assessment. Since no order is passed by the respondent, the present writ petitions came to be filed.

2.Heard the submissions of Mr.S.Sridhar, learned counsel appearing for the petitioner and M/s.M.Raja Mathivannan,

Standing Counsel who accepts notice on behalf of the respondent.

3.This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the same, directs the respondent to consider the representations of the petitioners dated 28.04.2015 and 28.07.2015 and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after giving necessary opportunity to the petitioners and communicate the decision taken to the petitioner.

4.The Writ Petitions are disposed of accordingly. No costs.

sd/-
Assistant Registrar (CO)

/TRUE COPY/

Sub-Assistant Registrar

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To

The Commissioner
Namakkal Municipality
Namakkal-637 001.

+1 CC to MR.S.Sridhar Advocate. SR.NO. 69422
+1 CC to MR.M.Raja Mathivannan, Advocate. SR.NO. 69403

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CO-GJ
JD 11/01/2016

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