

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2016

CORAM

THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM

W.P.No.12483 of 2009

and

M.P.No.1 of 2009

P.Chandrakumari

... Petitioner

..Vs..

1. The Assistant Commissioner,
Corporation of Chennai,
Zone IV Ayyanavaram,
Chennai - 600 003.

2. The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai - 600 003.

... Respondents

Prayer

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records comprised in the proceedings of the second respondent bearing No.Z.O.IV.R.D.C.No.R3/902/08, dated 08.12.2008, and quash the same and consequently, issue a Mandamus by directing the respondents to effect the name transfer in favour of the petitioner in the property tax register with respect to property situate at Door No.33, Devar Street, Villivakkam, Chennai - 600 049.

For Petitioner : Mr.J.Ram

For Respondent : Mr.C.Ravichandran

ORDER

Heard Mr.J.Ram, learned counsel appearing for the petitioner and Mr.C.Ravichandran, learned counsel appearing for the respondents.

2. The petitioner has come forward with this Writ Petition seeking for setting aside the demand dated 08.12.2008 and to direct the respondents to effect transfer of the name in the property tax register to the petitioner's name, as he has purchased the property pursuant to the sale effected by the Official Liquidator.

3. Though the petitioner has challenged the demand, which was payable by the original owner of the property i.e., prior to the property having vested with the Official Liquidator, the petitioner, during the pendency of the Writ Petition, has paid the entire tax dues and he has produced the copies of receipts, dated 08.07.2009, bearing receipt Nos.75296 & 75297.

4. The learned Standing counsel appearing for the respondent Corporation does not have any specific instruction in this regard. However, this Court would like to point out that though the Writ Petition is pending from 2009, no counter affidavit has been filed.

5. In the light of the subsequent development, as the amount of tax demanded from the petitioner is said to be paid by the petitioner, the matter is remanded to the first respondent to verify the records and if the petitioner has paid the entire tax arrears, then his application for transfer of the property tax register in the petitioner's name, shall be considered in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

The Writ Petition is disposed of on the above terms. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

pbn

To

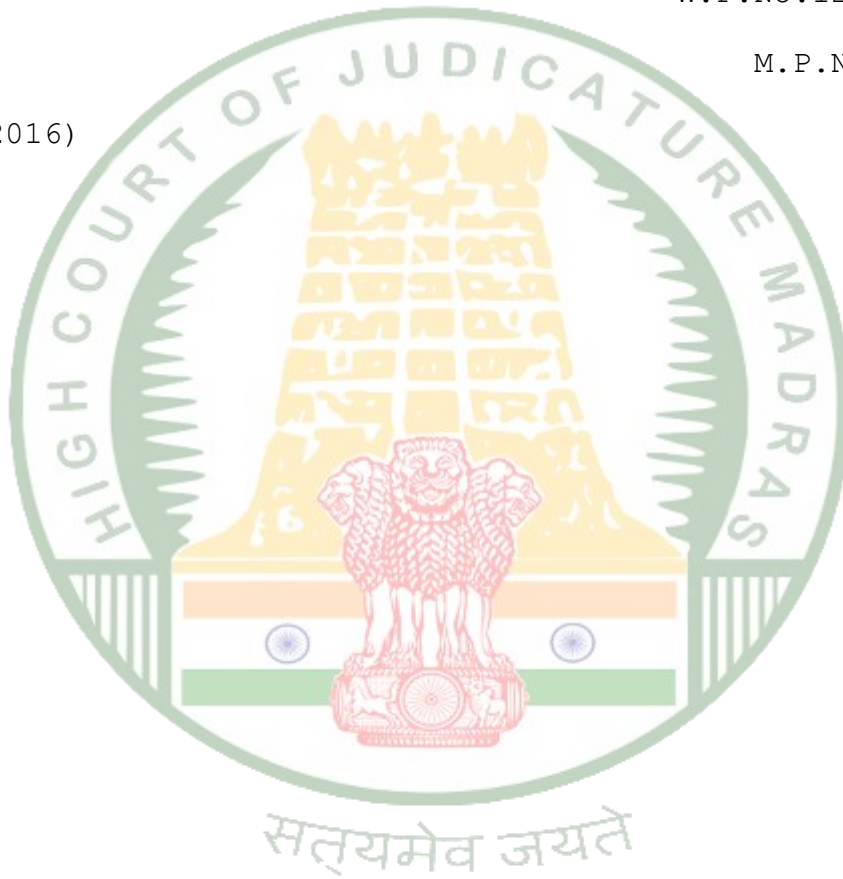
1. The Assistant Commissioner,
Corporation of Chennai,
Zone IV Ayyanavaram,
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2. The Commissioner,
Corporation of Chennai,
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Chennai - 600 003.

+1cc to Mr.C.Ravichandran, Advocate, S.R.No.44355
+1cc to Mr.P.Gopalan, Advocate, S.R.No.43811

W.P.No.12483 of 2009
and
M.P.No.1 of 2009

RK (CO)
CA(30/08/2016)



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