

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.8.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition No.27799 of 2016

Mr.J.Kumar

...Petitioner

Vs

1.The Commissioner, Corporation of
Chennai, Rippon Bldgs., Chennai-3.

2.The Assistant Revenue Officer,
Zone VIII, Corporation of Chennai,
Shenoy Nagar, Chennai-30.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing respondents 1 and 2 to assess the property tax based on the petitioner's representation dated 31.3.2015 by virtue of registered release deed bearing Doc.No.4720 of 2013 dated 27.11.2013 bearing Door No.19, Raji Street, Ayyanavaram, Chennai-23 measuring an extent of 678 Sq. Ft. within a period stipulated by this Court.

For Petitioner : Mr.M.Vivekanandan
For Respondents : Ms.Karthikaa Ashok

ORDER

Ms.Karthikaa Ashok, learned Standing Counsel accepts notice for the respondents. Heard both. By consent, the writ petition itself is taken up for final disposal.

2. The petitioner seeks a direction to the respondents to assess the property bearing Door No.19, Raji Street, Ayyanavaram, Chennai-23 in his name by considering his representation dated 31.3.2015.

3. The case of the petitioner is that the said property originally belonged to his father Thiru.V.Janaki Raman, who passed away on 27.4.2011 leaving behind the petitioner - the son and his three sisters namely Tmt.J.Jamuna, Tmt.J.Shanthi and Tmt.J.Kodimalar - the daughters, as his legal heirs. The petitioner's three sisters are said to have executed a release deed in favour of the petitioner by a document dated 27.11.2013 registered as document No.4720 of 2013 on the file of the Sub-Registrar, Anna Nagar. Based on this document, the petitioner submitted a representation dated 31.3.2015 to the respondents requesting to assess the property tax in his name. Since it did not evoke any response, the petitioner is before this Court.

4. The learned Standing Counsel for the respondents submits that the second respondent will consider the representation of the petitioner after due verification, enquire as to whether there are rival claims and thereafter pass a speaking order.

5. In the light of the above, the writ petition is disposed of with a direction to the second respondent to consider the petitioner's representation dated 31.3.2015, issue notice to the petitioner's three sisters namely Tmt.J.Jamuna, Tmt.J.Shanthi and Tmt.J.Kodimalar and after directing the parties to produce original documents and after conducting an enquiry into the matter, shall pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Commissioner, Corporation of Chennai, Rippon Bldgs., Chennai-3.

2.The Assistant Revenue Officer, Zone VIII, Corporation of Chennai, Shenoy Nagar, Chennai-30.

+1 cc to M/s.Karthikea Ashok, advocate, sr.45530

+1 cc to Mr.M.Vivekanandan, advocate, sr.45388.

skv(co)
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