

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P. 21028 of 2018

- 1) R.Devasena
- 2) R.Varshini
- 3) R.Sudersan

... Petitioners

Vs

1. The Assistant Revenue Officer,
Corporation of Chennai,
Zone-6, 5, Anderson Road,
Ayanavaram,
Chennai-600 023.

2. B.M.Kotteeswara Rao

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to mutate the petitioners name in the Corporation Tax records and remove the name of B.M.Kotteeswara Rao as per the proceedings of the 1st respondent in Ma.Aa.6th. Na.Ka.No.R1 3370/2014 dated 23.12.2014

For Petitioner : Mr.A.R.Nixon

For Respondents : Mr.V.C.Selvasekaran,
Standing Counsel for R1

O R D E R

This Writ Petition has been filed seeking for a direction directing the 1st respondent Corporation to remove the name of 2nd respondent in the property tax assessment and include the name of the petitioners.

2. The case of the petitioners is that they are the owners of the property at No.17, Ayyalu Street, Chennai-600 082. Earlier, since there is a dispute between the 1st petitioner's husband and his relatives, the petitioners have filed a suit in O.S.No.10176 of 2010 for declaration declaring them as owners of the property and the suit was also decreed.

3. Challenging the judgement and decree, the 2nd respondent and others have filed the appeal before this court in A.S.Nos. 292 and 293 of 2014 and the Division Bench of this Court by an order dated 08.11.2017 dismissed the appeal and that judgement now becomes final. Now, in pursuant to the judgement and decree passed by the Civil Court, the 1st petitioner has approached the 1st respondent seeking to change the property tax assessment records, even though the enquiry was conducted, no order has been passed. Hence, the petitioners have filed the present Writ Petition.

4. Considering the fact that the petitioners' representation is pending with the 1st respondent, the 1st respondent is directed to conduct enquiry and pass suitable orders on merits and in accordance with law after issuing notice to the petitioners as well as the 2nd respondent on considering the judgement and decree passed by this Court within a period of four weeks from the date of receipt of the copy of this order.

5. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

rpp
To

The Assistant Revenue Officer,
Corporation of Chennai, सत्यमेव जयते
Zone-6, 5, Anderson Road,
Ayanavaram,
Chennai-600 023.

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