

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 20.04.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.35365 of 2016

M.Chandra

... Petitioner

vs.

1. The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai - 600 001.
 2. The Revenue Officer,
(Zone-II, Division No.026),
Rippon Building,
Chennai - 600 001.
 3. Arulmighu Srivnivasa Perumal Temple,
Rep. By its Hereditary Trustee,
No.125, Vellala Street,
Purasaiwakkam,
Chennai - 600 084.
 4. The Secretary to Government of Tamil,
Hindu Religious and Charitable Endowments Department,
Fort St. George,
Chennai 600 009.
- ... Respondents

[R4 is suo-motu impleaded as per the order of this
Court dated 04.11.2016 in W.P.No.35365 of 2016]

Writ Petition filed under Article 226 of the
Constitution of India praying for the issuance of a Writ of
Mandamus to direct the respondents 1 & 2 to decide the request
for mutation of record with regard to the property bearing Old
No.117, New No.28, Ramaswamy Street, Mannadi, Chennai - 600
001, measuring an extent of 1269 square feet comprised in
O.S.No.1930, R.S.No.3032, Muthialpet Village, SRO, Chennai
North Joint-I, as per the earnest request made on 03.03.2011
forthwith.

For Petitioner : M/s.V.Manohar

For Respondents: Mr.T.C.Gopalakrishnan, (for RR1 & 2)
Mr.M.Maharaj, Spl.G.P.(HR & CE) (for RR3 & 4)

ORDER

Heard the learned counsel for the petitioner, learned
Standing Counsel for the respondents 1 and 2 and the learned
Special Government Pleader for the respondents 3 and 4.

2. The case of the petitioner is that the property bearing Old No.117, New No.28, in Ramaswamy Street, Mannadi, Chennai, measuring an extent of 1269 square feet, absolutely belongs to her and patta was also issued in her favour and she has been in possession and enjoyment of the same.

3. The petitioner would state that she approached the respondents 1 and 2, by submitting an application dated 03.03.2011 for transfer of property tax assessment in her name. The second respondent refused to transfer the assessment in favour of the petitioner stating that the property assessment stands in the name of the 3rd respondent-Temple.

4. The learned counsel for the petitioner submitted that the petitioner had issued a notice dated 21.11.2014 requesting them to change the records. Since no favourable reply was forthcoming, the present Writ Petition. He further submitted that if a direction is issued to the 2nd respondent to consider the representation of the petitioner, she would be satisfied.

5. The learned Standing Counsel for the respondents submitted that the Revenue Officer, Zone-V, Chennai is the jurisdictional authority to consider the case of the petitioner and he is ready to consider the grievance of the petitioner.

6. In the light of the above submissions of the learned counsels on either side, this Court without going into the merits of the case, directs the Revenue Officer, Zone-V, Chennai to consider the representation of the petitioner dated 03.03.2011 and notice dated 21.11.2014 and pass appropriate orders on merits and in accordance with law, after providing an opportunity of hearing to the necessary parties, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above observation and direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(cs III)

//True Copy//

Sub Assistant Registrar

pvs

To

1. The Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai – 600 001.

2. The Revenue Officer,
(Zone-II, Division No.026),
Rippon Building,
Chennai – 600 001.

3. The Secretary to Government of Tamil,
Hindu Religious and Charitable Endowments Department,
Fort St. George,
Chennai 600 009.

+1cc to Mr.V.Manohar, Advocate SR.No.30142

+1cc to Mr.T.C.Gopalakrishnan, Advocate Sr.No.29526

RK(CO)
sm:15.5.2018

W.P.No.35365 of 2016



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