BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2018

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.6225 of 2018

Sermakani ... Petitioner

Vs.

1. The District Collector,
   Tirunelveli District,
   Tirunelveli.

2. The Assistant Director,
   Town Panchayats,
   Tirunelveli District,
   Tirunelveli.

3. The Executive Officer,
   Vadakku Valliyoor Panchayat,
   Radhapuram Taluk,
   Tirunelveli District. ... Respondents

Petition filed under Article 226 Constitution of India to issue a Writ of Mandamus, to direct the 3rd respondent to transfer the house tax assessment of the house bearing Door.No.52 situated in the property to the extent of Hec.0.00.54(54 Sq.meter) in Natham Survey.No.1027/3 and New Survey No.2171/2 at Vadakku Valliyoor Village Part I Radhapuram Taluk Tirunelveli District in her name by considering the petitioner's representation dated 20/02/2018.

For Petitioner	:	Mr.R.Anbarasu
For Respondents 1&2	:	Mr.Aayiram K.Selvakumar, Additional Government Pleader.
For 3rd Respondent	:	Mr.Murugan, Additional Government Pleader.

ORDER

This writ petition has been filed seeking direction to the third respondent to transfer house tax assessment of the house bearing Door.No.52, situated in the property to the extent of Hec.0.00.54(54 Sq.meter) in Natham Survey.No.1027/3 and New Survey No.2171/2 at Vadakku Valliyoor Village, Part I, Radhapuram Taluk, Tirunelveli District in her name by considering the petitioner's representation dated 20.02.2018.

2.According to the petitioner, one Sudalaimuthu Nadar is the owner of the house bearing Door.No.52, situated in the property to the extent of Hec.0.00.54(54 Sq.meter) in Natham Survey.No.1027/3 and New Survey No.2171/2 at Vadakku Valliyoor Village, Part I, Radhapuram Taluk, Tirunelveli District. After his demise, the above said house was allotted to the petitioner's husband in an oral partition. Thereafter, the petitioner is in possession and enjoyment of the said house. Since the property tax assessment stands in the name of the petitioner's father in law, she filed an application dated 20.02.2018 before the third respondent seeking to change the property tax assessment in her favour.

3.Learned counsel appearing for the petitioner submitted that the petitioner's husband is the legal heir of the deceased Sudalaimuthu Nadar and the property was also allotted to the petitioner's husband by way of oral petition, there is no impediment for the third respondent to transfer the property tax assessment in favour of the petitioner.

4.Considering the facts and circumstances of the case, this Court, without going into the merits of the case, directs the third respondent to consider the representation of the petitioner dated 20.02.2018 and 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, after issuing notice to the petitioner as well as to other rival parties concerned.

5.With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
   Tirunelveli District,
   Tirunelveli.
2. The Assistant Director,
   Town Panchayats,
   Tirunelveli District,
   Tirunelveli.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 57610

SMS
TE/SKN-RSK/SAR-4 : 11/04/2018 : 2P/4C