

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 29.01.2019
CORAM
THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN
W.P. 29591 of 2018
and
W.M.P. 34560 of 2018

M.A.Mohammed Gayazuddin,
rep. by its Power Agent
Mr.A.Mohamed Adam

... Petitioner

Vs

1. The Commissioner,
Corporation of Chennai,
Rippon Building,
E.V.R.Salai,
Chennai-600 003.
2. The Revenue Officer,
Corporation of Chennai,
Zonal Office-IX,
Ward No.119, Lake View Area,
Valluvarkottam,
Chennai-600 034.
3. S.Siva Kumar,
S/o. Selvaraj,
S-1, Jeyam Apartments,
2nd Floor, Old No.15/16,
New No.29/1 & 31/1,
V.M.Street, Royapettah,
Chennai-600 014.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus, directing the 2nd respondent herein to cancel the 3rd respondent name on the revenue records, property tax and consequently include the petitioner's name in the revenue records based on the petitioner's representation dated 21.08.2017.

For Petitioner : Mr.P.Stella Mary

For Respondents :Mrs.Karthikaa Ashok,
Standing Counsel for R1 & R2

Mr.A.Suresh for R3

O R D E R

This Writ Petition has been filed seeking a direction to the 2nd respondent to cancel the property tax assessment issued in the name of 3rd respondent herein.

2. According to the petitioner, he has purchased a flat in the year 2013 from one Jayanthi. After the purchase, the property tax assessment was also issued in the name of petitioner and the property tax assessment card was also issued in the name of petitioner. Subsequently, without issuing any notice to the petitioner, now the property tax assessment has been transferred in the name of 3rd respondent herein. Hence, the petitioner has sent a representation to cancel the assessment order, but that was not considered. Hence, the present Writ Petition has been filed by the petitioner.

3. Mrs.Karthikaa Ashok, learned Standing Counsel appearing for the respondents 1 and 2, on instructions, submitted that it is an apartment consisting of seven flats and the assessment order has been issued in mentioning the main door number for all the individual flat owners. Subsequently, the 2nd respondent has conducted an enquiry, and will pass orders within a period of two weeks.

4. I have considered the rival submissions and perused the relevant records carefully.

5. Considering the above submissions, the 2nd respondent is directed to conduct enquiry after issuing notice to all the seven flat owners and directed to issue a separate assessment order in respect of each flats owned by the individuals. The above exercise is directed to be completed within a period of six weeks from the date of receipt of the copy of this order. With the above direction, the present Writ Petition stands disposed of. No costs. Consequently, the connected Writ Miscellaneous Petition is closed.

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

rpp

To

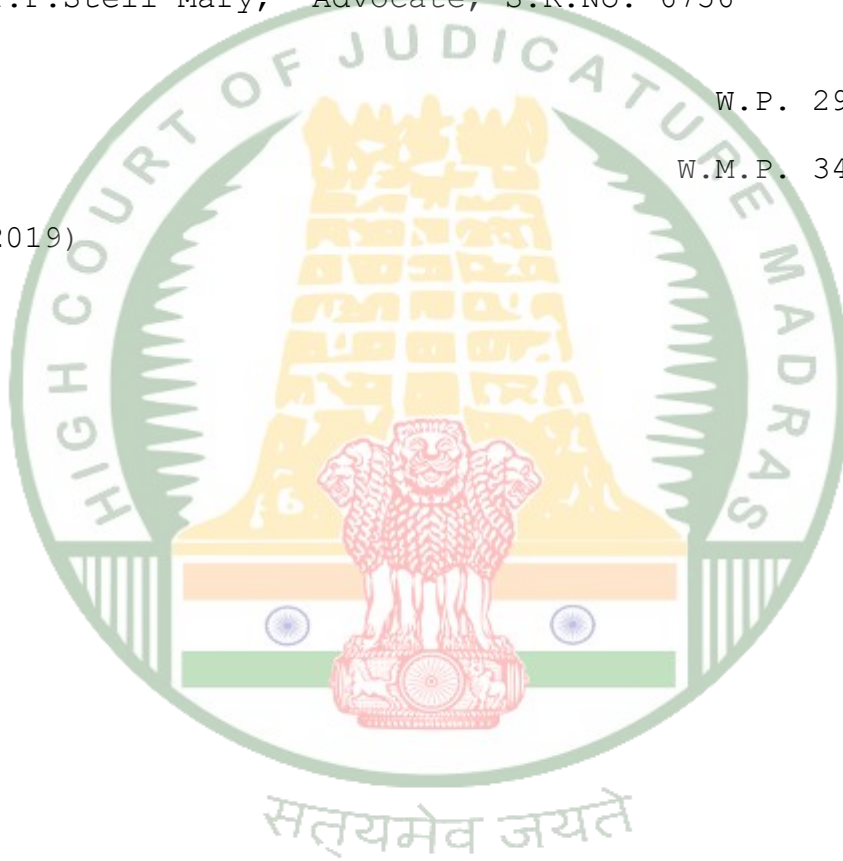
1. The Commissioner,
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2. The Revenue Officer,
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Chennai-600 034.

+1cc to Mr.Karthika Ashok, Advocate, S.R.No. 6938
+1cc to Mr.A.Suresh, Advocate, S.R.No. 7117
+2cc to Mr.P.Stell Mary, Advocate, S.R.No. 6756

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GN(05/03/2019)



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