



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD)No.7815 of 2020

R.Dinesh

... Petitioner

Vs

The Commissioner,
Madurai Corporation,
Arignar Anna Maligai,
Madurai.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 09.03.2020 and to pass orders on merits and in accordance with law within the stipulated time fixed by this Court.

For Petitioner : Mr.Babu Rajendran
For Respondent : Mr.Prabhu Ramachandiran
Standing Counsel

O R D E R

Heard the learned counsel appearing for the writ petitioner and the learned standing counsel appearing for the respondent/corporation. With their consent, the writ petition is taken up for final disposal even at the stage of admission.

2.The property that is the subject matter of this writ petition originally belonged to the petitioner's grandfather. He had executed a registered Will dated 04.12.1995 in favour of the petitioner herein. The father of the petitioner was given a limited right and the petitioner was to take the property absolutely on his attaining majority. The petitioner was born on 06.05.1992. His grandfather passed away on 01.08.2000. Thereafter, the Will came into existence. The petitioner's name was entered in the relevant documents but he was described as a minor. Even though the petitioner had attained majority on 06.05.2010 and he is now the absolute owner of the property in question, the records reflect his name as Minor.Dinesh care of B.Rajendran. The water tax is said to still stand in the name of the grandfather. Therefore, seeking appropriate mutation in the relevant records of the corporation, the petitioner had submitted a representation dated 09.03.2020. Since, it has not been considered till date, this writ petition has been filed.



3.The petitioner states that a mutation has to be urgently made as he intends to avail bank loan.

4.I find the petitioner's request to be reasonable. When I put the corporation on notice, the learned standing counsel fairly stated that this Court can record the stand of the corporation that they are willing to concede the petitioner's request. The aforesaid submission made by the learned standing counsel is placed on record. The respondent is directed to effect appropriate mutation in the relevant records pertaining to the subject property as sought for by the petitioner in his petition mentioned representation. The mutation shall be effected within a period of four weeks from the date of receipt of a copy of this order. The writ petition stands allowed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Ias

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To
The Commissioner,
Madurai Corporation,
Arignar Anna Maligai,
Madurai.

+1 CC to Mr.BABU RAJENDRAN, Advocate (SR-13191[F]
dated 23/07/2020)

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