



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.09.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.9454 of 2020

Sathiskumar

... Petitioner

Vs.

1.The Executive Engineer,
Tamil Nadu Housing Board,
Ellis Nagar,
Madurai District.

2.The Commissioner,
Virudhunagar Panchayat Union,
Virudhunagar.

3.The President / Executive Officer,
Chathirareddiyapatti Panchayat Union,
Chathirareddiyapatti,
Virudhunagar.

4.Sankaran

... Respondents

(R2 amended as per order in W.M.P(MD) No.9580 of 2020
dated 30.09.2020)

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to assess the property tax in the petitioner name for the house situated in Plot No.B3 of Tamil Nadu Housing Board Colony in Survey No.120/4B, of Chathirareddiyapatti Village, Virudhunagar Taluk, by considering the petitioner's representation dated 05.06.2020.

For Petitioner : Mr.G.Mariappan

For 1st Respondent : Mr.M.Mahaboob Athiff

For R-2 to R-4 : No Appearance

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned counsel appearing for the first respondent.



2. The petitioner wants the petition mentioned property to be assessed in his name. The third respondent has to do the assessment. Though the third respondent has been served and his name is printed in the cause list, there is no appearance on his behalf.

WEB COPY

3. It is seen that the property originally belonged to the fourth respondent namely, Thiru.Shankaran. Shankaran appears to have had some transaction with one Alagarsamy. Therefore, Alagarsamy has filed O.S.No.46 of 2003 before the Sub Court, Virudhunagar and obtained a decree. The property was brought to sale and the petitioner was the auction purchaser. The sale certificate was also issued in favour of the petitioner.

4. The petitioner's counsel firmly states that the matter has attained finality and till date it has not been reopened or set aside. Therefore as on date, the petitioner is to be considered as the owner of the petition mentioned property. Therefore, the third respondent is obliged to assess the property in the name of the writ petitioner. The third respondent is directed to make the necessary mutations and assess the property in favour of the writ petitioner herein.

5.This writ petition stands allowed. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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:

1.The Executive Engineer,
Tamil Nadu Housing Board,
Ellis Nagar,
Madurai District.



2.The Commissioner,
Virudhunagar Panchayat Union,
Virudhunagar.

3.The President / Executive Officer,
Chathirareddiyapatti Panchayat Union,
Chathirareddiyapatti,
Virudhunagar.

W.P. (MD) No. 9454 of 2020

(2/2)

30.09.2020

ss (CO)

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