



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.10.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.14801 of 2020

WEB COPY

Jenat Selvakani

... Petitioner

Vs

1. The District Collector,
Thoothukudi District, Thoothukudi.
2. The Tahsildar,
Vilathikulam Taluk, Thoothukudi District.
3. The Block Development Officer,
Block Development Office,
Vilathikulam, Thoothukudi District.
4. The President,
Periyasamipuram Village Panchayat,
Vilathikulam Taluk,
Thoothukudi District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to change the name in house tax receipt to the name of legal heirs of petitioner's father namely Mr.Arulantham in respect of the house in D.No.1/86, Periyasamy Puram Village, Vilathikulam Taluk, Thoothukudi District in the light of the Legal Heir Certificate dated 21.08.2014 by considering the petitioner's representation dated 13.11.2019.

For Petitioner : Mr.C.Susi Kumar

For R-1 & R-2 : Mr.C.Ramar

Additional Government Pleader

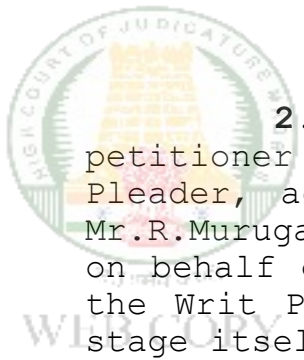
For R-3 & R-4 : Mr.R.Murugan

Additional Government Pleader

ORDER

(This petition was heard through the Video Conferencing)

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to change the name of the house tax receipt for the property situated at Door No.1/86, Periyasamy Puram Village, Vilathikulam Taluk, Thoothukudi District, to the name of the legal heirs of the petitioner's father namely, Mr.M.A.Arulanandam.



2. Heard Mr.C.Susi Kumar, learned counsel appearing for the petitioner as well as Mr.C.Ramar, learned Additional Government Pleader, accepts notice on behalf of the Respondents 1 and 2 and Mr.R.Murugan, learned Additional Government Pleader, accepts notice on behalf of the respondents 3 and 4. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

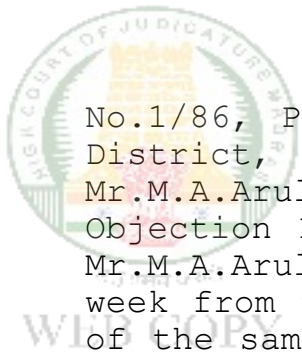
3. It is the case of the petitioner that originally her father, namely, Mr.M.A.Arulanandam, was the owner of the aforementioned property. According to the petitioner, her father died on 31.05.2014, leaving behind his two sons and two daughters, which includes the petitioner as his legal heirs. The petitioner gave a representation on 18.01.2019 to the second respondent to change the patta in the name of the legal heirs of her father namely, Mr.M.A.Arulanandam, in respect of the aforementioned property.

4. According to the petitioner, the patta has been transferred in the name of the legal heirs of Mr.M.A.Arulanandam by the proceedings of the second respondent dated 21.02.2019. However, according to the petitioner, the house tax assesement for the same property has not been transferred in the name of the legal heirs of Mr.M.A.Arulanandam. The petitioner has given a representation on 13.11.2019 to the third respondent to change the house tax receipt to the name of the legal heirs of Mr.M.A.Arulanandam for the aforementioned property. However, it is the case of the petitioner that despite the said representations, till date, the house tax assesement has not been transferred in the name of the legal heirs of the deceased Mr.M.A.Arulanandam. In the said circumstances, this Writ Petition has been filed.

5. Mr.C.Ramar, learned Additional Government Pleader, appearing for the respondents 1 and 2 would submit that the house tax receipt was not transferred, since all the legal heirs of the deceased Mr.M.A.Arulanandam have not approached the second respondent nor have they given "No Objection Letters" for transferring the house tax receipt in their names.

6. The learned counsel appearing for the petitioner submitted that the petitioner is willing to produce "No Objection Letters" from the remaining legal heirs of the deceased Mr.M.A.Arulanandam, for the purpose of getting house tax assesement, transferred in the name of the legal heirs of the deceased Mr.M.A.Arulanandam.

7. After recording the submissions made by respective counsels, this Court directs the third respondent to consider the petitioner's representation dated 13.11.2019 seeking for transfer of house tax assesement in respect of the property situated at Door



No.1/86, Periyasamy Puram Village, Vilathikulam Taluk, Thoothukudi District, in favour of the legal heirs of the deceased Mr.M.A.Arulanandam. The petitioner is also directed to produce "No Objection Letters" from the remaining legal heirs of the deceased Mr.M.A.Arulanandam to the third respondent, within a period of one week from the date of receipt of a copy of this order. On receipt of the same, the third respondent is directed to pass final orders on merits and in accordance with law, within a period of four weeks thereafter.

8. With the above observations, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

tsg

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 District Collector, Thoothukudi District, Thoothukudi.
2. The Tahsildar, Vilathikulam Taluk, Thoothukudi District.
3. The Block Development Officer,
Block Development Office,
Vilathikulam, Thoothukudi District.

+1 CC to the SPL GP (SR-20696[F] dated 29/10/2020)

W.P. (MD)No.14801 of 2020
28.10.2020

CK(CO)
CS(06.11.2020) 3P 5C