



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 20.09.2021

CORAM:

THE HON'BLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.15055 of 2016
and
WMP No.13136 of 2016

Violet Banumathi

...Petitioner

Vs.

1.The Government of Tamil Nadu
Rep. by its Secretary,
Municipal Administration and
Water Supply Department,
Fort St. George, Chennai-9.

2.The Commissioner,
Corporation of Vellore,
Vellore.

...Respondents

PRAYER : This Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the 2nd respondent to pass orders on the petitioner representation dated 5.4.2012 for the purpose of considering transfer of Property Tax documents in respect of the property No.43 & 46, Thiru Vi Ka Salai, Salavanpettai, Soolaimedu, Vellore, in favour of the petitioner herein by perusing the documents mentioned in the said representation dated 5.4.2012 at the earliest point of time as may be fixed by this Honourable Court.

For Petitioner : Mr.J.Pothiraj

For Respondents : Mr.C.Kathiravan (for R1)
Government Advocate.
Mrs.P.Shanthi (for R2)



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O R D E R

The relief sought for in the present writ petition is to direct the 2nd respondent to pass orders on the petitioner's representation dated 5.4.2012 for the purpose of considering transfer of Property Tax documents in respect of the property No.43 & 46, Thiru Vi Ka Salai, Salavanpettai, Soolaimedu, Vellore, in favour of the petitioner, by perusing the documents mentioned in the said representation dated 5.4.2012 at the earliest point of time.

2. The grievances of the writ petitioner is that she presented an application for name transfer to be effected in the Property Tax Assessment. The said application is submitted based on the WILL. However, the respondents have not taken any decision. Thus, the petitioner is constrained to move the present writ petition.

3. The learned Government Counsel appearing on behalf of the respondent made a submission that the application is submitted based on the WILL and therefore, an adjudication is required.

4. This Court is of the considered opinion that the nature of the WILL and the dispute if any, in respect of the WILL are to be considered. In the event of any such dispute, the parties are bound to approach the competent Court for the appropriate relief and then only they could effect name transfer in the Property Tax Assessment. If there is no dispute, the authority competent has to consider the application by following the procedures contemplated under the statute.

5. This being the procedures to be followed, the 2nd respondent is directed to look into the petitioner's application and take an appropriate decision in the manner known to law.

6. With these directions, the writ petition stands disposed of. No Costs. Consequently, the connected Writ Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-IX)

// True Copy //

Sub Assistant Registrar

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To

1.The Secretary,
Government of Tamil Nadu
Municipal Administration and
Water Supply Department,
Fort St. George, Chennai-9.

2.The Commissioner,
Corporation of Vellore,
Vellore.

+1cc to Mr.J.Pothiraj, Advocate SR.No.47997

+1cc to the Government Pleader SR.No.48567

WP.No.15055 of 2016

SRA(CO)
RVM(12/10/2021)