



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD)No.5235 of 2021

(Through Video Conference)

WEB COPY

I.Ramjan Beevi

... Petitioner

Vs.

1.The Commissioner,
Madurai Corporation,
Aringar Anna Maaligai,Madurai.

2.The Assistant Commissioner,
Zonal No.3, Madurai Corporation,Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 16.12.2020 and revoke the property tax assessments bearing No.115/052/01706 and 115/352367.

For Petitioner : Mr.M.Kannan

For Respondents : Mr.R.Murali,
Standing Counsel

O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus directing the respondents to consider the representation made by the petitioner on 16.12.2020 and to revoke the property tax assessments that have already been made and make a fresh measurement after conducting an inspection in the subject property.

2. The case of the petitioner is that originally, there was a house property in the name of her husband. He died interstate leaving behind the petitioner and her children. They entered into a partition through a partition deed dated 23.01.2012 and the same was registered. As per the partition deed, the property was divided into four shares.

3. The further case of the petitioner is that apart from the old house that is in existence, one more house was constructed by one of her son. The grievance of the petitioner is that the respondent Corporation had acted upon the partition deed and four assessments have been made independently, without taking into consideration the fact that there are only two houses that are available in the subject property.



4. The petitioner, therefore, made a representation to the respondents on 16.12.2020 to withdraw the property tax assessment and to make a fresh assessment for the two houses which are present in the subject property. Since the same was not considered, the present Writ Petition has been filed seeking for appropriate directions.

5. Heard Mr.M.Kannan, learned counsel for the petitioner and Mr.R.Murali, learned standing counsel appearing for the respondents.

6. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the second respondent to consider the representation made by the petitioner on 16.12.2020 and deal with the same on its own merits and in accordance with law and take a decision within a period of four weeks from the date of receipt of a copy of this order.

7. The petitioner is directed to make a fresh representation to the second respondent along with all the relevant documents and also a copy of this order.

8. This Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sts

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 Commissioner,
Madurai Corporation,
Aringar Anna Maaligai, Madurai.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Assistant Commissioner,
Zonal No.3, Madurai Corporation,
Madurai.

+1 CC to MR.M.KANNAN, Advocate (SR-16999[F] dated 22/04/2021)

Order made in
W.P. (MD)No.5235 of 2021
Dated:
21.04.2021

KM(21.06.2021) 3P 4C