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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.27660 of 2021

Mohamed Shaifudin

... Petitioner

-Vs-

1. The Zonal Officer V (Royapuram),
Greater Chennai Corporation,
No.62, Basin Bridge Road,
Old Washermenpet, Chennai - 600 021.

2. The Assistant Revenue Officer,
Greater Chennai Corporation,
No.62, Basin Bridge Road,
Old Washermenpet, Chennai - 600 021.

... Respondents

Prayer:-

Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to dispose off my application for effecting name transfer in respect of property situated at bearing No.125(131), Nainiappan Naicken Street, Edapalayam, Chennai - 600 003. bearing CMC No.05/059/02259/000 based on the Hiba Confirmation Deed dated 09.03.2021 executed by the father of the petitioner.

For Petitioner : Mr.K.Shahul Hameed

For Respondents : Ms.P.T.Ramadevi,
Standing Counsel

O R D E R

The prayer sought for herein is for a writ of mandamus, directing the respondents to dispose of his application for effecting name transfer in respect of property situated at bearing No.125(131), Nainiappan Naicken Street, Edapalayam, Chennai - 600 003. bearing CMC No.05/059/02250/000 based on the Hiba Confirmation Deed dated 09.03.2021 executed by the father of the petitioner.



2. The case of the petitioner is that the property bearing No.125(131), Nainiappan Naicken Street, Edapalayam, Chennai - 600 003, measuring 458 sq.feet together with building belongs to his father one Mohamed Nazran.

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3. He having purchased the same by a sale deed bearing document No.732 of 1991 registered at Sub Registrar, Sowcarpet, Chennai, had conveyed the said property by oral gift/hiba to the petitioner and based on which, the petitioner seeks for name transfer of the property at tax documents at the hands of the respondents Corporation, for which, the petitioner has given a representation to the second respondent on 07.11.2021 and since the said representation has not been considered, he approached this Court by filing the present writ petition with the aforesaid prayer.

4. Reiterating the aforesaid, the learned counsel appearing for the petitioner seeks the indulgence of this Court to issue a suitable direction to the respondents Corporation to do the needful.

5. Heard Mrs.P.T.Ramadevi, learned Standing Counsel appearing for the respondents, who on instructions, would submit that, the said representation of the petitioner would be considered within a time frame that may be stipulated by this Court. After verifying the claim made by the petitioner, if the petitioner is entitled to seek for transfer of name with regard to the documents relating to property tax assessment of the property concerned at the hands of the respondent Corporation as desired by the petitioner, that shall be considered and necessary steps would be taken to do the needful, she contended.

6. Considering the said submission of the learned counsel for the parties, especially the Standing Counsel for the respondents Corporation, this Court is inclined to dispose of this writ petition with the following orders.

(i) That there shall be a direction to the respondents to consider the representation of the petitioner dated 07.11.2021 and pass orders thereon.

(ii) With regard to the plea of the petitioner for change the name in the property tax documents of the property concerned, the aforesaid needful shall be undertaken and final orders shall be passed by the respondent Corporation within a period of four(4) weeks from the date of receipt of a copy of this order.



7. With these directions, this writ petition is disposed of.
No costs.

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Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

mp/kst

To

1. The Zonal Officer V (Royapuram),
Greater Chennai Corporation,
No.62, Basin Bridge Road,
Old Washermenpet, Chennai - 600 021.
2. The Assistant Revenue Officer,
Greater Chennai Corporation,
No.62, Basin Bridge Road,
Old Washermenpet, Chennai - 600 021.

+1cc to Ms.P.T.Ramadevi, Advocate, S.R.No.39
+1cc to Mr.K.Shahul Hameed, Advocate, S.R.No.254

W.P.No. 27660 of 2021

GPL(CO)
CT 28/01/2022