BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.09.2022

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P(MD).No.20875 of 2022

R.Mayandi ... Petitioner

Vs.

1.The Commissioner,
Madurai Corporation Zone-2,
Madurai-625 007.

2.The Assistant Commissioner,
Madurai Corporation Zone-2,
Madurai-625 007. ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to transfer the name from Pappu @ Puliyammal to the petitioner name R.Mayandi in property Tax Assessment No.115/028/01982/Old Assessment No.115/694868 and other relevant records to the house premises at in Door No.1/95 in S.No.13/2, in Ulaganeri Village, Ward No.28, Madurai District in the light of the representation dated 10.01.2022.

For Petitioner : Mr.AK.Gopalan

For Respondents : Mr.S.Vinayak
Standing Counsel

ORDER

This writ petition has been filed seeking for a mandamus to direct the respondents to transfer the name from Pappu @ Puliyammal to the petitioner name R.Mayandi in property Tax Assessment No.115/028/01982/Old Assessment No.115/694868 and other relevant records to the house premises at in Door No.1/95 in S.No.13/2, in Ulaganeri Village, Ward No.28, Madurai District in the light of the representation dated 10.01.2022.

2.Mr.S.Vinayak, learned Standing Counsel takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3.The learned counsel appearing for the petitioner submitted that the petitioner had sent a representation on 10.01.2022 to the respondents to change the name from Pappu @ Puliyammal to the petitioner in Property Tax Assessment No.115/028/01982/Old Assessment No.115/694868 and other relevant records to the house premises at in Door No.1/95 in S.No.13/2, in Ulaganeri Village, ward No.28, Madurai District. Now the property stands in the name of his Mother namely R.Pappu @ Puliyammal and the property tax has been regularly paid in the name of his mother. He further submitted that the petitioner's mother died on 11.07.2018. Thereafter, the petitioner is the only legal heir of his parents and he had supporting documents namely death certificate both the mother and father, legal heirs certificate, copy of the patta, house tax receipts and Electricity bill. In certain documents, the petitioner's mother name was Pappu and in certain other document, his mother name was Pappu @ Puliyammal. The petitioner was directed to correct the mistake and get certificate from the Thasildar to confirm that the said Pappu @ Puliyammal are one and the same person. Thereafter, the petitioner made an application to the Thasildar, Madurai East, who in his proceedings in Na.Ka.No.1062/2022/A4, dated 05.04.2022, informed that there is no such procedure in the Thasildar office to issue such certificate. Thereafter, the petitioner informed the same to the respondents. The respondents so far not changed the property tax receipt in the name of the petitioner. Hence, the present petition has been filed.

4.The learned Standing counsel appearing for the respondents submitted that the petitioner had sent a representation to the Assistant Commissioner, Madurai Corporation Zone-2, and the petitioner's property falls under Old Ward number 28, New Ward No.09, Madurai Corporation Zone-1. He further submitted that the petitioner has to give a representation to the Assistant Commissioner and copy to the Assistant Revenue Officer, Madurai Corporation Zone-1, along with the supporting documents namely, death certificate of the petitioner's mother, legal heirs certificate, copy of the patta and any other documents in support of his contention and the same would be considered. If the petitioner's certificate is found to be proper, the property would be assessed in the name of the petitioner.

5.Considering the submission and perusal of the materials available on records, it is seen that if the petitioner's grievance is genuine and only reason that earlier instead of approaching Assistant Commissioner, Madurai Corportion Zone-1, he approached the Assistant Commissioner, Madurai Corporation Zone-2. Hence, the petitioner is directed to produce the copy of the representation along with the supporting documents to the Assistant Commissioner, Madurai Corporation Zone-1, and copy to the Assistant Revenue Officer. The Assistant Commissioner, Madurai Corporation Zone-1, and the Assistant Revenue Officer, are directed to verify the documents and if found in order, the assessment shall be made in the name of the petitioner. This exercise shall be completed on or before 20.10.2022.

6.With the above directions, this Writ Petition is disposed of. No costs.

02.09.2022

Index : Yes / No
Internet : Yes/ No
vsg

M.NIRMAL KUMAR, J.

vsg

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