



W.P.(MD)No.24030 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :19.10.2022

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.24030 of 2022

Chellammal

... Petitioner

Vs.

1.The Commissioner,
Madurai Corporation,
Madurai.

2.The Assistant Commissioner,
(Zone-4),
Madurai Corporation,
Madurai.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to change the name in the property tax as well water supply tax from name of Govindakothanar to the petitioner's name Chellammal for her house building at No.1A, Raja Mill Road 2 (1-2/51) which is an extent of 1350 sq.ft in Town Survey No.1206, Keela Annathoppu, Survey Ward No.5, Old Corporation Ward 34, Rajamill Road, Arappalayam, Madurai Corporation, Madurai having Assessment No.1158/081/00131, Old Assessment No. 115/59238 within a time frame as fixed by this Court.



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W.P.(MD)No.24030 of 2022

For Petitioner :Mr.S.Sukumar
For Respondent :Mr.K.K.Kannan
Standing Counsel

ORDER

This Writ Petition is filed to direct the Respondents to change the name in the property tax as well as water tax in the name of the petitioner for her house building, by the Madurai Corporation.

2.The petitioner along with her husband (Late Manickam Pillai) purchased a vacant land admeasuring 1350 sq.ft in Town Survey No.1206, Keela Annathoppu, Survey Ward No.5, Old Ward 34, Raja Mill Road, Arapalayam, Madurai Corporation Limit, from A.K.Sethuram under a registered sale deed No.6997/93 dated 19.08.1993 for valuable consideration. Prior to the purchase of the site of the schedule property by the petitioner, the same was let out by the vendors, i.e. A.K.Sethuram to Govindakonar who raised a super structure with country tiles. The Madurai Corporation had issued demand notice for Property tax and water supply tax in the name of Govindakonar. It is submitted that in the year 2001, the superstructure was purchased from Chellampillai who had purchased it from



W.P.(MD)No.24030 of 2022

WEB COPY

Govindakonar. The petitioner had demolished the superstructure and raised house/building after obtaining the approval from the appropriate authorities. The petitioner continued to pay the property tax and water supply tax in the name of Govindakonar. On realising the need to change the name in the property tax and water supply receipts of the petitioner, as it did not evoke any response, the petitioner submitted a representation on 15.10.2020 through his Advocate for changing the name in the property tax and water supply tax receipts. The same is pending consideration for more than two years. Hence, the present writ petition is filed for directing the Madurai Corporation to effect transfer of name in property and water tax receipt.

3.Mr.K.K.Kannan, learned Standing Counsel appearing on behalf of the respondents submitted that no representation has been filed by the petitioner. Further, he submits that if any representation is filed to change the name in the property tax as well as water tax in favour of the petitioner, the same will be considered on merits and in accordance with law.



W.P.(MD)No.24030 of 2022

WEB COPY

4.Considering the limited scope of the prayer sought for in this writ petition, this Court is inclined to grant a liberty to the petitioner to file a fresh representation before the respondents. The respondents herein are directed to consider the representaion of the petitioner, if any such representation is made the same will be considered on mertis and in accordance with law, within period of eight weeks from the date of receipt of a copy of this order, after affording a reasonable opportunity to the petitioner and other Stake holders/interested parties, if any. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the respondent to consider the representation on its own merits.

5.With the above direction, the Writ Petition stands disposed of.

No costs.

19.10.2022

Index : Yes / No

Speaking Order : Yes / No

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W.P.(MD)No.24030 of 2022

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W.P.(MD)No.24030 of 2022

MOHAMMED SHAFFIQ, J.

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W.P.(MD)No.24030 of 2022

19.10.2022