



W.P.(MD)No.25285 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :08.11.2022

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.25285 of 2022

and

W.M.P.(MD)No.19376 of 2022

M.Palpandian

... Petitioner

Vs.

1.The Commissioner Avl,
Madurai Corporation,
Madurai.

2.The Assistant Commissioner,
Madurai South Zone,
Madurai Corporation,
Madurai.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to direct the respondents to change the petitioner's name one the property tax concern in respect of the property in Door No.100, T.S.No.253, Ward No.82, North marret Street, Madurai town, Madurai District.

For Petitioner	:Mr.K.K.Maheshraja
For Respondents	:Mr.S.Vinayak Standing Counsel.



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ORDER

This writ petition is filed praying for Writ of Mandamus, to direct the respondents to change the petitioner's name in the property tax receipt in respect of the property in Door No.100, T.S.No.253, Ward No.82, North marret Street, Madurai town, Madurai District, by considering the representation of the petitioner, dated 04.08.2022.

2.It is submitted by the learned counsel for the petitioner that despite submission of required documents for mutation of records, Madurai Corporation is still issuing demand notices in the name of previous owner for payment of property tax. The petitioner is unable to submit online application for name transfer in the Madurai Corporation portal. It is also stated that a civil suit bearing O.S.No.203 of 2018 is pending before District Munsif Court, Madurai regarding property tax dispute. The Petitioner is agreeable to pay all tax arrears once demand notice is issued in his name by the Madurai Corporation. Hence, the present writ petition.



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3.Mr.S.Vinayak, learned Standing Counsel, appearing on behalf of the respondents would submit that the above representation would be considered and pass orders in accordance with law.

4.This Court has not examined the bearing of the civil suit stated to be pending on the petitioner's request for change of property tax receipt in his name and leave it open to the concerned authorities to examine the same in view of the submission by the learned Standing Counsel. Considering the limited scope of the prayer sought for in this writ petition, there shall be a direction to the respondents herein to consider the representation of the petitioner, dated 04.08.2022 and pass appropriate orders on merits and in accordance with law after giving due opportunity to all interested parties, within period of twelve 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 respondents to consider the representation on its own merits.



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

No costs. Consequently, connected miscellaneous petition is also closed.

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Index : Yes / No

Speaking Order/Non-speaking order

sbm

To

1.The Commissioner Avl,
Madurai Corporation,
Madurai.

2.The Assistant Commissioner,
Madurai South Zone,
Madurai Corporation,
Madurai.



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MOHAMMED SHAFFIQ, J.

sbn

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