



W.P.No.11444 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 17.04.2023

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.11444 of 2023

S.Ponnapillai

... Petitioner

Vs

1.The Commissioner,
Corporation of Chennai,
Rippon Buildings,
Chennai-600 003.

2.The Revenue Officer,
Corporation of Chennai,
Rippon Building,
Chennai-600 003.

3.The Assistant Revenue Officer,
Zone-10, Chennai Corporation,
Kodambakkam, Chennai-600 024.

... Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to assess the property tax to the petitioner's property in his name situated in Block No.10 Old S.No.178/1, T.S.No.15, Door Old No.20, New No.32, South Perumal Koil Street, Vadapalani, Chennai-600 026.



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For Petitioner
For Respondents

:Ms.B.Sridevi
:Mr.P.Prithvi Chopra

ORDER

Mr.P.Prithvi Chopra, learned counsel takes notice for the respondents. In view of the consent expressed by the learned counsel appearing for either side, this petition is taken for final disposal, even at the stage of admission.

2. This writ petition has been filed to direct the respondents to assess the property tax to the petitioner's property, in his name situated in Block No.10 Old S.No.178/1, T.S.No.15, Door Old No.20, New No.32, South Perumal Koil Street, Vadapalani, Chennai-600 026 ('property').

3. The case of the petitioner is that the property originally belongs to his father, who died intestate on 20.06.1975. After his demise, his wife and six daughters executed a release deed in favour his four sons vide Doc.No.3482 of 2004 in the Sub Registrar Office of Kodambakkam. After releasing the right of the property, the petitioner and his three brothers became the joint owner of the property. Thereafter, the property was partitioned among the brothers vide partition deed No.5708 of 2012 dated 19.10.2012. As per the partition deed, the petitioner is in continuous possession and enjoyment of property, scheduled at 'D', admeasuring 1950 Sq.ft. Thereafter, the petitioner has sent a representation dated 07.10.2021 to 2nd and 3rd respondent to assess the property



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tax in his name, but the respondents have not considered the representation.

Hence, the present Writ petition.

4. Learned counsel for the petitioner would submit that as on date, the property has been assessed in his father's name. He wants to change the property tax assessment in his name. Therefore he sent a representation dated 07.10.2021 to the 2nd and 3rd respondent, but the same was not considered till date. Hence, the present Writ petition.

5. Heard both sides and perused the materials available on record.

6. Considering the aforesaid facts and circumstances of the case, this Court directs the 2nd and 3rd respondent to consider the representation of the petitioner and to pass orders on merits and in accordance with law, after hearing the petitioner, within a period of four (4) weeks from date of receipt of a copy of this order.

7. This writ petition is disposed of in the aforesaid terms. No costs.

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17.04.2023

Index : Yes / No

Speaking Order / Non Speaking Order

Neutral Citation: Yes/No

To

1.The Commissioner,



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M.DHANDAPANI, J.

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