



W.P(MD)No.1396 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.1396 of 2023

S.Pragatheeshwaran

... Petitioner

Vs

The President,
Vellikatti Panchayat , Vellikatti,
Devakottai Taluka, Karaikudi,
Sivagangai District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to change the name of the Property Tax Assessment No.257 for the house property in Door No.2/151, S.Chokkanatharpuram, Devakottai Taluk, Sivagangai District in the petitioner's name by considering his representation, dated 06.11.2021, within the period as stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen

For Respondent : Mr.N.Muthu Vijayan
Special Government Pleader



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ORDER

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The Writ Petition has been filed in the nature of mandamus, seeking a direction to the respondent/President, Vellikatti Panchayat, Vellikatti, Devakottai Taluk, Karaikudi, Sivagangai District to change the name in the Property Tax Assessment No.257, in respect of house property at Door No.2/151, S.Chokkanatharpuram, Devakottai Taluk, Sivagangai District to the petitioner's name, by considering his representation, dated 06.11.2021.

2.The petitioner is residing at Door No.95/12, Sibicolony, Amsharaj TVS, Sivagangai District. One of the sister of his mother, Kannathal was married 39 years ago to one Murugappan, who worked as an agent in LIC. Kannathal had purchased the property by a sale deed, dated 09.02.2000, registered as Doc.No.173/2000 at Manavaalar Nagar, Kanjipuram Sub Registrar, Thiruvaluvar District. Her husband had purchased a property by a sale deed, dated 02.06.2004, registered as Doc.No.2227/2004 at Sub Registrar, Chennai. He had also purchased other properties. The said Murugappan died on 13.07.2019. The properties were inherited by his wife Kannathal, who in turn, had executed a Will on 28.06.2021, in favour of the petitioner. Thereby, the petitioner had inherited the properties.



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3.Now, the petitioner wants to change the name in the property tax assessment in Door No.2/151, S.Chokkanatharpuram, Devakottai Taluk, Sivagangai District and other properties, which are situated elsewhere. He had given a representation to the respondent, in this regard.

4.A direction is given to the respondent, to examine the petitioner, examine the Will, examine whether the Will had been properly attested as per Section 68 of Indian Evidence Act, examine the Notary, who has attested the Will and after coming to a personal satisfaction, pass necessary orders. Since the Will also includes the property situated in Chennai, if the respondent has any doubt, then, if required, Probate of the Will to be obtained. The said exercise should be completed by the respondent within a period of six weeks, from the date of receipt of a copy of this order.

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

No costs.

20.03.2023

NCS : Yes/No
Index : Yes / No
Internet: Yes/ No
PNM

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To

The President,
Vellikatti Panchayat , Vellikatti,
Devakottai Taluka, Karaikudi,
Sivagangai District.



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C.V.KARTHIKEYAN, J.

PNM

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