



W.P.No.15165 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2024

CORAM :

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.15165 of 2024

Mr.P.L.Kannan

... Petitioner

Versus

1. The Commissioner,
Greater Chennai Corporation,
Rippon Buildings, Chennai.
2. The Assistant Revenue Officer,
Greater Chennai Corporation,
Revenue Department, Zone-10,
No.117, N.S.K.Salai,
Kodambakkam, Chennai-600 024.
3. The Senior Legal Officer,
Greater Chennai Corporation,
Rippon Buildings, Chennai.

...Respondents

Prayer : A Writ Petition filed under Article 226 of the Constitution of India pleased to issue a Writ of Mandamus directing the 2nd and 3rd Respondents to consider the Petitioner's representation dated 22.03.2024 and remove the names of the said Mrs.Meiyammai and



W.P.No.15165 of 2024

Mr.Nachiappa from the Petitioner's property tax assessment vide Assessment No.10-136-03350-000 and consequently issue a fresh assessment for the property at Old Door No.26, New Door No.29(12/1), Mahalakshmi Street, T.Nagar, Chennai-600 017.

For Petitioner : Mr. S.Jaganathan

For Respondents: Mr. AR.L.Sundaresan,
Senior Advocate for
M/s.Meenakshi (Third Party)

Mr.P.Prithvichopda
Senior Counsel (Corporation)

ORDER

The petitioner seeks a mandamus directing the second and third respondents to consider his representation dated 22.03.2024 and remove the names of Mrs.Meiyanmai and Mr.Nachiappan from the property tax assessment bearing assessment No.10/136/03350-000.

2. By asserting that the petitioner and his father are the absolute owners of the property at the address specified in



W.P.No.15165 of 2024

paragraph 2 of the affidavit and that the names of Mrs.Meiyammai and Mr.Nachiappan were unlawfully added in the assessment, the present writ petition was filed.

3. Learned counsel for the petitioner submits that the petitioner and his father are the absolute owners of the above mentioned property. He further states that Mrs.Meiyammai and Mr.Nachiappan clandestinely made arrangements to add their names in the assessment. He also submit that the said individuals have not remitted property tax for a considerable period of time.

4. Mr.AR.L.Sundaresan, learned senior counsel, appears for Mrs.Meiyammai and Mr.Nachiappan upon instructions from Ms.Meenakshi. He submits that the writ petition is an abuse of process and that the petitioner has suppressed material facts, such as the pendency of two civil suits. He also points out that Mrs.Meiyammai and Mr.Nachiappan are close relatives of the



W.P.No.15165 of 2024

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petitioner (mother and brother) and that the mother is entitled to the property under a Will executed in her favour. He further submitted that these disputed questions relating to title to the property cannot be decided by the Corporation of Chennai and that it should be decided by the competent civil court.

5. Mr.P.Prithvichopda, learned standing counsel, accepts notice for the respondents. On instructions, he submits that the Corporation of Chennai is not in a position to decide the title dispute between the petitioner and the third party claimants.

6. From the submissions of learned counsel, it appears that there is a dispute between the petitioner, on the one hand, and his mother and brother, on the other. Without impleading the said parties, the petitioner seeks the relief of removing their names from the property tax assessment. Even otherwise, it appears that disputed questions of title are involved and the Corporation of



W.P.No.15165 of 2024

Chennai does not have the authority to decide such questions.

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Consequently, a mandamus cannot be issued as prayed for.

7. Therefore, W.P.No.15165 of 2024 is dismissed without any order as to costs by leaving it open to the petitioner to initiate appropriate legal proceedings before the competent civil court.

19.06.2024

Index : Yes /No

Speaking Order : Yes /No

Neutral Case Citation : Yes /No

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To

5/7



W.P.No.15165 of 2024

WEB COPY

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W.P.No.15165 of 2024

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W.P.No.15165 of 2024

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