



W.P.(MD)No.26823 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2024

CORAM

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.26823 of 2024

V.N.Vetrivadivel Murugan

... Petitioner

Vs

1.The Commissioner,
Madurai Corporation,
Office of the Madurai Corporation,
Arignar Anna maligai,
Thalakulam,
Madurai District.

2.The Assistant Commissioner,
Zone-5(West),
Madurai Corporation,
Jaihindpuram Main Road,
Solaiyalagupuram,
Madurai District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to conclude the proceedings for change of name in property tax assessment for the subject for the subject property in Survey No.196/14A, Old Door No.7/1, New Door No. 7/2, Corporation Ward-98, 7th Ward Kasimaniyamsandhu, Thirupparankundram, Madurai District within a time frame that may be stipulated by this Court.

For Petitioner : Mr.M.Karthick

For Respondents : Mr.P.Anbunithi
Standing Counsel



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ORDER

The prayer of the writ petition is as follows:

This writ petition has been filed for issuance of a writ of Mandamus, directing the respondents to conclude the proceedings for change of name in property tax assessment for the subject for the subject property in Survey No.196/14A, Old Door No.7/1, New Door No. 7/2, Corporation Ward-98, 7th Ward, Kasimaniyamsandhu, Thirupparankundram, Madurai District.

2.Heard Mr.M.Karthick, the learned Counsel appearing for the petitioner and Mr.P.Anbunithi, the learned Standing Counsel appearing for the respondents. Carefully perused the materials available on record.

3.The subject property in Survey No.196/14A, Old Door No.7/1, New Door No.7/2, Corporation Ward No.98, 7th ward, Kasimaniyasandhu, Thirupparankundran, Madurai District stands in the name of the petitioner's father one V.Nallathambimaniyam by a registered partition deed dated 30.05.1991. All the revenue records stood in the name of the petitioner's father. While so, he passed away on 15.01.2013 and he was survived by Annalakshmi, Velmurugaeswari and Vetrivadivelmurugan, that is the petitioner.



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4. Even after the death of the petitioner's father, the property assessment with respect to the property mentioned supra stood to be assessed in the name of the petitioner's father. Thereafter, a partition deed was effected among the legal heirs of Thiru.V.Nallathambimaniyam and as a result of this, the other legal heirs had executed a registered release deed, dated 21.07.2014 by relinquishing their respective shares over the subject property mentioned supra in favour of the petitioner. The said release deed was registered as document No.2338 of 2014 at Sub-Registry, Thirupparankundram, in the name of the petitioner Vetrivadivelmurugan. The petitioner's original name was N.Velmurugan and the above said release deed was executed in favour of the petitioner in the name of N.Velmurugan, i.e., erst while name. Later, the petitioner has changed his name as V.N.Vetrivadivel Murugan in the Government Gazette and the same has been published on 15.07.2019.

5. In view of the same, he decided to change the property assessment in his name that is the current name viz., V.N.Vetrivadivel Murugan and to the said effect, he made an application dated 29.01.2024 before the respondents and the same was responded by the respondent by a letter dated 15.03.2024 requiring the petitioner to execute a rectification deed incorporating his new name with respect to the property mentioned supra. In view of the same, this writ petition came to be filed.



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6.Mr.P.Anbunithi, the learned Standing Counsel appearing for the respondents vehemently submitted that the petitioner's application could be considered, only if, he could submit a rectification deed incorporating his new name with respect to the subject property and until and unless the same is done, the petitioner's request cannot be appreciated. However, this Court is of the considered view that the change of name of the petitioner from N.Velmurugan to V.N.Vetrivadivel Murugan had been effected properly in accordance with law and the same has been published in the Tamil Nadu Gazette on 15.07.2019. Hence, the respondents can very well appreciate the petitioner's application, considering the fact that his name has properly been changed and had already been published in the Tamil Nadu Gazette without insisting for rectification deed.

7.With the above said observations, this writ petition stands disposed of. No costs.

12.11.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
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L.VICTORIA GOWRI, J.

RJR

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