

07.05.2025
Sl. No.25
Ct.3/ tkm

W.P.A. 918 of 2025
[Abdul Hai Mondal Vs. State of West Bengal
& Ors.]

Mr. Yashraj Roy
... .. for the petitioner

Ms. Piyali Sengupta
Ms. Paroma Sengupta
... .. for KMC

Ms. Sourav Chowdhury
Mr. Nilay Baran Mondal
... .. for the State

1. Affidavit of service is taken on record.
2. The petitioner has preferred the present writ petition, being aggrieved by the inaction on the part of the respondent municipality whereby they have failed to consider the representation of the petitioner dated 07.12.2024, wherein he had sought reversion of mutation in respect of the premises no. 23A/1, DPP Road, Kolkata, from the name of respondent nos. 7 and 8 back to that of the petitioner.
3. It is the case of the petitioner that premises no. 23A/1, DPP Road, Kolkata, is an inherited property of the petitioner, wherein he has been residing along with his family members for a considerable period of time. Subsequent to the demise of his father, the petitioner approached the respondent municipality for payment of property tax, whereupon he discovered that the

said premises had been erroneously mutated in the names of respondent nos. 7 and 8, who, although residents of the same locality, are occupants of a different premises situated approximately five minutes' walking distance from the subject property.

4. It is further stated that pursuant to an earlier representation dated 09.12.2009, submitted by the petitioner, the mutation in respect of the said premises was rectified and restored in the name of the petitioner, and the petitioner continued to pay property tax thereon until the year 2014.
5. The petitioner further contends that the respondent authorities have once again altered the mutation records, reflecting the names of respondent nos. 7 and 8, purportedly on the basis of a conveyance deed bearing no. 00415/1998. However, a perusal of the certified copy of the said deed reveals that respondent nos. 7 and 8 are the recorded owners of premises no. 23/A/1, DPP Road, Kolkata, whereas the petitioner is the rightful owner of a separate and distinct property bearing premises no. 23A/1, DPP Road, Kolkata.
6. The petitioner submits that the two premises are separate and distinct properties, and therefore, the mutation in favour of respondent nos. 7 and

8 is erroneous and liable to be rectified. Despite several representations submitted to the concerned authorities seeking correction of the records, no effective or consequential action has been taken by the respondents till date.

7. Learned counsel for the respondent KMC submits that the authorities are ready and willing to decide the petitioner's representation dated 07.12.2024.
8. Learned counsel for the petitioner submits that his client shall be satisfied if his representation is decided within a time-bound manner.
9. In view of the statement made by the respondent, this court directs the respondent authority to decide petitioner's representation dated 07.12.2024 within a period of six weeks from the date of communication of this order after affording an opportunity of hearing to the petitioner as well as private respondents by way of a speaking order.
10. With the above direction, the present writ petition is disposed of.
11. Since no affidavit is called for, allegations made in the writ petition are deemed to have been denied.

(Gaurang Kanth, J.)