



WEB COPY

WP.No.15098 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2025

CORAM

THE HONOURABLE MRS.JUSTICE N.MALA

WP.No.15098 of 2025

1.R.D.V.Ramalingam,
Son of Late R.D.Venugopal,
No.9/12, Bungalow Street,
Pudhupettai, Vridhachalam,
Cuddalore District - 606 001.

2.R.D.R.Ramesh,
Son of R/D/Aranganathan,
No.9/12, Bungalow Street,
Pudhupettai, Vridhachalam,
Cuddalore District - 606 001.

Petitioner(s)

Vs

The Commissioner,
Municipal Office, Virudhachalm,
Cuddalore District - 606 001.

Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, to direct the respondent to consider the petitioners' application for land approval and assessment in their individual names dated 13.06.2024 in Na.Ka.No.2786/2024A1 and the application given by the 2nd petitioner to the respondent within a time frame fixed by this Court and pass such further orders.



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For Petitioners: Mr.G.Surya Narayanan

For Respondent: Mr.M.S.Prem Kumar,
Government Advocate

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, to direct the respondent to consider the petitioners' application for land approval and assessment in their individual names dated 13.06.2024 in Na.Ka.No.2786/2024A1 and the application given by the 2nd petitioner to the respondent.

2. The petitioners, after the death of their father, continued to run the “Tamil Nadu Lorry Booking Office” situated at Door No.112, Cuddalore Road, jointly owned by them under a partition deed dated 12.07.2019. In pursuance of the partition, the property was divided and patta was also issued in their individual names. Subsequently, the petitioners sought to construct a small building and applied for individual land tax assessment on 13.06.2024 to facilitate planning approval. However, despite submission of necessary documents, the respondent failed to process their application. The petitioner's



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alleged that R.D.V. Ravi, a relative and Revenue Assessor in the respondent's office, was deliberately delaying the application. The Petitioner was informed that planning permission could only be applied after land tax assessment was completed. Meanwhile, a writ petition was filed by another relative (W.P.No.2769/2024) claiming unauthorized construction, but no notice was served on the petitioners. The petitioners' stated that as the respondents failed to consider the petitioner's application, they were constrained to file the above writ petition for the afore said relief.

3. Learned Counsel for the Petitioner submits that the respondent's inaction in processing their application for individual land assessment is arbitrary, *mala fide*, and in violation of the Tamil Nadu Urban Local Government Bodies Act, 1998. He further submits that without land assessment, the petitioners were unable to apply for planning approval, causing serious hardship to them. The counsel submits that the land was legally partitioned and requires individual assessment for regularization and approval under Section 135(4) of the Act. The counsel further submits that despite representations and reminders, the respondent failed to act, leaving them with no alternative remedy



but to approach this court through this writ petition.

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4. Learned Government Advocate appearing for the respondent submits that application for name transfer and assessment by the 2nd petitioner dated 13.06.2024 and letters of the petitioners' dated 08.04.2025 would be considered on merits, in accordance with law, within a time frame stipulated by this Court.

5. Heard both sides and perused the materials available on record. With consent of both counsels, the writ petition is disposed of finally.

6. In view of the submissions of the learned Government Advocate, without going into the merits of the case, the respondent is directed to consider the application of the second petitioner dated 13.06.2024, submitted for name transfer and assessment along with the letter dated 08.04.2025 by conducting a detailed enquiry and by affording an opportunity of personal hearing to the petitioners. The respondents shall consider the relevant documents submitted by the petitioners, and pass appropriate orders on merits, in accordance with law, within a period of eight (8) weeks thereafter.



In the result, the writ petition stands disposed of with the above observations and direction. No costs.

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Index: Yes/No

Speaking/Non-speaking order

To

The Commissioner,
Municipal Office, Virudhachalm,
Cuddalore District - 606 001.



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N.MALA, J

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