



DECISION

Complaint No. : POS/2331/2017/Adv-M

Name and address of the complainant : Mst. Tania Taufiq, House No. 27, 28 & 29, Faran Cooperative Housing Society Haider Ali Road, Karachi.

Name of the Agency Complained against : Karachi Metropolitan Corporation

Name & Designation of Investigating Officer : Mir Hussain Ali Advisor-M

Vetted by :

Subject : DELAY IN ISSUANCE OF MUTATION CERTIFICATE IN RESPECT OF PLOT NO. 230 J.M., M.A. JINNAH ROAD, KARACHI.

Complaint:

This is a complaint filed on 1st August, 2017 by Mst. Tania Taufiq resident of 27/ 28/29, Faran Cooperative Housing Society, Haider Ali Road, Karachi, against the Karachi Metropolitan Corporation, for delay in issuance of mutation certificate in respect of Plot No. 230 J.M. Mohammad Ali Jinnah Road, Karachi which was processed in June 2011, but was not collected by her as she could not pay the dues. She requested for intervention of this Institution for the redressal of her grievance.

Proceedings:

2. The complaint after being registered was forwarded to Karachi Metropolitan Corporation for comments. On the date of hearing date i.e. 6th December 2017, the Karachi Metropolitan Corporation officials handed over a copy of the extract of Plot No. 230, Survey Sheet J.M. Quarters, which specified the holder of the plot as Mr. S.M. Asif Taufiq. In response the complainant produced a copy of the extract of the same plot mutated in the name of Mr. S.M. Asif Taufique, father of the complainant in 2002. She also stated that subsequently the heirs of Mr. S.M. Asif Taufique applied for mutation in their names which was approved but she was unable to pay the fees amounting to Rs.57,000/-.

3. The Deputy Director Land, Jamshed Quarters, KMC vide letter No. DDL/JM/KMC/389/2018 dated 9th March, 2018 reasserted that the plot was transferred in the name of Mr. S. M. Asif Taufique in 1948.

4. The Director Land, KMC vide his letter No. DIR/LAND/KMC/450/2018 dated 11th October, 2018 further elaborated that the mutation effected in favour of the father of complainant Mr. S.M. Asif Taufique vide letter No. ADO/L/R/138/2002 dated 18th February, 2002, has been cancelled after further scrutiny by the then Director Land. He produced a copy of the extract showing this cancellation. He also stated that there is no request for mutation pending in his office in respect of this property and he requested that the complainant be directed to complete the legal and codal formalities which are as follows:

- i. Heirship Certificate of deceased Mr. S.M. Asif Taufique from concerned DC Revenue / Deputy Commissioner.
- ii. Attested copies of ownership documents alongwith CNIC's.
- iii. Publication in Newspaper in Box 4" x 3".
- iv. Application of mutation of subject plot jointly by all legal heirs.
- v. Statement of mutation required before conceded by Director Land, KMC.
- vi. Affidavit & Indemnity Bond for mutation of subject plot.

5. The complainant responded vide her request dated 17th November, 2018 that they have already submitted the documents, and it is not clear as to why the mutation in favour of her father has been cancelled.

6. In a hearing on 6th October, 2020 the Deputy Director Land, agreed to process the restoration of mutation in favour of Mr S.M. Asif Taufique. On 28th January, 2020 in another hearing the Deputy Director Land stated that he has put up the matter before his superiors.

7. Later, the Additional Director Land, Jamshed Quarters, Karachi Metropolitan Corporation, vide letter No. ADD/L/JM/KMC/88.2021 dated 30th August, 2021 confirmed that the mutation in favour of Mr. S.M. Asif Taufique has been restored and he enclosed a copy of the Extract.

8. The complainant vide her letter dated 6th September, 2021 stated that the dues of Rs.900,000/- will be paid once property is mutated in the name of the heirs of Mr. S.M. Asif Taufique and is then disposed of.

9. In a hearing on 15th September, 2021 the Additional Director informed that the complainant has not completed the formalities necessary for mutation in favour of legal heirs of Mr. S.M. Asif Taufique. The Deputy Director Land, Jamshed Quarters, Karachi Metropolitan Corporation, vide letter No.DD/L/JM/KMC/136/2021 dated 2nd December, 2021 gave details of requirements for mutation i.e. Application; Amenity Bond; Advertisement; Letter of Administration and Documents of this property. The complainant responded vide her letter dated 10th February, 2023 seeking clarification about the documents required, and agreed to procure the Letter of Administration or Succession Certificate. The Deputy Director Land, Jamshed Quarters, Karachi Metropolitan Corporation, vide letter No.DD/L/JM/KMC/126/2023 dated 27th September, 2023 intimated that an amount of Rs.14,99,474/- has to be paid as dues and he also attached specimens of documents to be produced.

9. In a hearing held on 22nd August, 2024, the matter was discussed in detail and the requirement of Letter of Administration or Succession Certificate was highlighted. The complainant was advised to procure the required documents in coordination with other heirs. In another hearing held on 16th September, 2024, it was again held that the Succession Certificate is essential for mutation, and if there are differences between the legal heirs the matter has to be resolved through a Civil Suit. The complainant was accordingly advised.

Findings:

10. From the above proceedings, it is evident that Karachi Metropolitan Corporation is willing to process mutation of the property, provided outstanding dues and prescribed fees are paid; and other documents are submitted specially the Letter of Administration or Succession Certificate. It is also observed that there are differences between the legal heirs of Mr. S.M. Asif Taufique, which is delaying the submission of the Succession Certificate.

Decision:

11. Accordingly, in exercise of power vested in me under Section-11 of Establishment of the Office of Ombudsman for the Province of Sindh Act-1991, I hereby direct the Metropolitan Commissioner, Karachi Metropolitan Corporation, to process the mutation of this property in favour of the heirs of Mr S.M. Asif Taufique, once all procedural formalities are completed. Further the complainant Ms. Tania Taufique is advised to procure the necessary documents in coordination with other heirs or through a proper judicial forum.

"Given under my hand and seal of office"

Sd/-

(Muhammad Sohail Rajput)

Sitara-e-Imtiaz, PAS

OMBUDSMAN SINDH

Karachi, dated 09th, September, 2025

