

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:20.02.2015

Coram

THE HONOURABLE Mr. JUSTICE M.VENUGOPAL

W.P.No.3616 of 2014

P.Baskaran

... Petitioner

Vs.

The Tahsildar,
Egmore Nungambakkam Taluk,
Chennai - 600 031.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondent to consider the application for legal heir certificate dated 28.10.2013 and issue legal heir certificate.

For Petitioner : Mr.R.Rajesh Kumar

For Respondent : Mr.S.V.Durai Solaimalai
Additional Government Pleader

ORDER

Heard both sides.

2.According to the Petitioner, he had applied for issuance of legal heir certificate through an application dated 28.10.2013 addressed to the Respondent/Tahsildar, Egmore Nungambakkam Taluk, Chennai - 31 and till date the said application is not yet disposed off.

3.It is the stand of the Petitioner that his elder brother T.Kuppusamy, who was working with Food Corporation of India (FCI) at No.2, Satyamurthy Road, Chetpet, Chennai died intestate on 16.04.2011 and since he was unmarried, he being his youngest brother and another brother T.Ganesan are his legal heirs.

4.Since his brother Ganesan is bedridden because of many medical problems, he applied for the terminal benefits of his deceased brother T.Kuppusamy vide letter dated 09.08.2012 and 28.08.2012 addressed to the Food Corporation of India and the Food Corporation of India informed that he along with brother Ganesan are to produce legal heir certificate to claim the terminal benefit of their brother T.Kuppusamy.

5.In view of the limited relief sought for by the Petitioner in the present Writ Petition for passing of an order by this Court in directing the Respondent to consider the application dated

28.10.2013 praying for legal heir certificate, this Court, in the interest of justice, directs the Respondent to look into the application of the Petitioner dated 28.10.2013 in the subject matter in issue and to dispose of the same by passing a reasoned order specifying necessary reasons (of course after providing necessary opportunity to the Petitioner by adhering to the principles of natural justice), within a period of four weeks from the date of receipt of copy of this order.

6. With the aforesaid direction, the Writ Petition is disposed of. No costs.

Sd/-
Asst. Registrar (AD I)

/true copy/

Sub Asst. Registrar

Sgl

To

The Tahsildar,
Egmore Nungambakkam Taluk,
Chennai - 600 031.

1 cc to Government Pleader, Sr. 9618

1 cc to Mr. R. Rajesh Kumar, Advocate, sr. 9615

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