

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 11-08-2015

CORAM:

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

W.P.No.24642 of 2015

V.Vasu, S/o. Vadivel
No.2 O Block Pushpa Nagar
Tamil Nadu Slum Clearance Board
Chennai 34

...Petitioner

Vs

1 The District Collector
Chennai District
Chennai

2 The Tahsildar
Egmore-Nungambakkam Taluk
Chennai 31

3 V.Elango, S/o. Vadivel
No.1/8 Pusparaj First Street
Tamil Nadu Slum Clearance Board
Chennai 34

...Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 1st respondent to consider and pass order on representation of the petitioner dt 16.3.2015 for cancellation of the Legal Heir Certificate dt 20.4.2013 issued to the 3rd respondent and consequently to issue a fresh Legal Heir Certificate to the petitioner within a stipulated time as fixed by this Honourable Court

For petitioner : Mr. D. Nandagopal

For respondents : Mr. S.V. Duraisolaimalai,
AGP for RR1 & 2

ORDER

It is the case of the petitioner that he and the third respondent are the sons of the deceased by name, Mr. Vadivel. Suppressing the fact that the petitioner is also the son of the

deceased, the third respondent has obtained a legal certificate in his name. Seeking cancellation of the same, the petitioner has made a representation to the first respondent. As the same has not been considered, the present writ petition is filed.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents. By consent, the main writ petition itself is taken up for final disposal.

3. Considering the limited prayer sought for, without going into the merits of the case, this Court directs the petitioner to submit the representation afresh enclosing a copy of this order, within a period of two weeks from the date of receipt of a copy of this order, and on such representation, the second respondent is directed to consider the same and pass orders on merits and in accordance with law, within a period of eight weeks, thereafter, by affording an opportunity of hearing to the third respondent also, before passing appropriate orders.

4. The writ petition is disposed of, accordingly. No costs.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

glp

To

1 The District Collector
Chennai District
Chennai

2 The Tahsildar
Egmore-Nungambakkam Taluk
Chennai 31

1 CC to Mr. D. Nandagopal, Advocate SR.No. 41716

1 CC to the Government Pleader, SR.No. 42067

W.P.No.24642 of 2015

SV (CO)

PSI (28.08.2015)