

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2015

CORAM

THE HON'BLE Mr. JUSTICE R.MAHADEVAN

W.P.No.26187 of 2015

Vatsala

[Petitioner]

Vs

1. The Collector,
Singara Velan Maligai,
Chennai-600 001.
2. The District Revenue Officer,
Taramani, Chennai-600 113.
3. The Tahsildar,
Velachery Taluk, Taramani,
Chennai-600 113.
4. Vijayakumar
5. Rajesh Kumar [Respondents]

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus, directing the 1st respondent to issue a fresh Legal Heirship Certificate after conducting proper enquiry in pursuance of the representation of the petitioner dated 16.03.2015.

For Petitioner .. Mr.S.Thiruvengadam
For Respondent .. Ms.P.Rajalakshmi, Govt. Advocate

ORDER

Seeking a direction to the 1st respondent to issue a fresh Legal Heirship Certificate after conducting proper enquiry in pursuance of the representation of the petitioner dated 16.03.2015, the present writ petition has been filed.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 to 3.

3. The case of the petitioner is that the petitioner is the second wife of late K.Sambath Kumar who died on 03.10.2012 and the said Sambath Kumar married her after the death of his first wife,

namely, Vijayalakshmi and through her, he has got two children, namely, Vijayakumar and Rajesh Kumar and through the petitioner, Sambath Kumar has got one child, namely, Saravana Kumar. The further case of the petitioner is that after the death of her husband, the children born through the first wife of Sambath Kumar approached the Tahsildar and obtained a Legal Heir Certificate in No.NTI/36193/2013 dated 21.03.2013 excluding her name and her son name, though the said names are duly entered in the Family Ration Card and also in the office records of Late K.Sambath Kumar. In this regard, the petitioner has given a representation dated 16.03.2015 to the 1st respondent. Since, the same has not been disposed of, she is before this Court with the present Writ Petition.

4. Considering the facts and circumstances of the matter, without expressing any opinion on the merits of the claim, the 1st respondent is directed to consider the representation of the petitioner dated 16.03.2015 and dispose of the same on merits and in accordance with law, after giving due opportunity to the petitioner as well as the other interested parties. The said exercise shall be completed within a period of six weeks from the date of receipt of a copy of this Order. No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To

1. The Collector,
Singara Velan Maligai,
Chennai-600 001.
2. The District Revenue Officer,
Taramani, Chennai-600 113.
3. The Tahsildar,
Velachery Taluk, Taramani,
Chennai-600 113.

+1 cc to Government Pleader sr.44727

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