

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.01.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

WP.No.712/2015

&

MP.No.1/2015

1.S.Krishnasamy
2.S.Dhanalakshmi

...Petitioners

Versus

1. The District Collector
O/o.The District Collector
Coimbatore.
2. The Revenue Divisional Officer
Office of RDO, Coimbatore North
Coimbatore District.
3. The Tahsildar
Coimbatore North Taluk
Coimbatore District.
4. S.Sivaswami
5. S.Maruthachalam
6. Sarojini
7. Chitra

...Respondents

**RR 4 to 7 impleaded as per the order
of this Court made in MP No.2/2015
dated 28.01.2015

Writ petition filed under Article 226 of the Constitution of India praying for a writ of certiorari mandamus calling for the records relating to the legal heir ship certificate [Mu.Mu.No.5252/90/A9] dated 29.03.1990 issued by the 3rd respondent and quash the same and consequently direct the 3rd respondent to issue the new legal heir ship certificate including the petitioners name.

For Petitioners : Mr.V.Janarthanan

For Respondents : Mr.S.Gunasekaran,GA

ORDER

Heard Mr.V.Janarthanan, learned counsel for the petitioners and Mr.S.Gunasekaran, learned Government Advocate appearing for the respondents and perused the materials placed on record.

2.The petitioners seek for quashing of the Legal Heirship certificate issued by the 3rd respondent dated 29.03.1990 and to consequently direct the 3rd respondent to issue a fresh Legal Heirship Certificate including the petitioners names.

3.According to the petitioners, the private respondents, viz., respondents 4 to 7, now impleaded, have obtained the Legal Heirship Certificate without including the name of the petitioner. In this regard, a representation has been given by the petitioner to the respondents 2 and 3 and since no action has been taken, the petitioner has approached this Court.

4.Since the writ petition is disposed of without notice to the respondents 4 to 7, the merits of the allegations made by the petitioner as against them are not gone into and the same is left open to the 3rd respondent to consider the same after conducting enquiry.

5.Accordingly the writ petition is disposed of by directing the 3rd respondent to consider the petitioner's representation dated 26.06.2014 after issuing notice to the petitioner as well as to the respondents 4 to 7, conduct an enquiry and pass a reasoned order on merits and in accordance with law as expeditiously as possible. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

AP

To

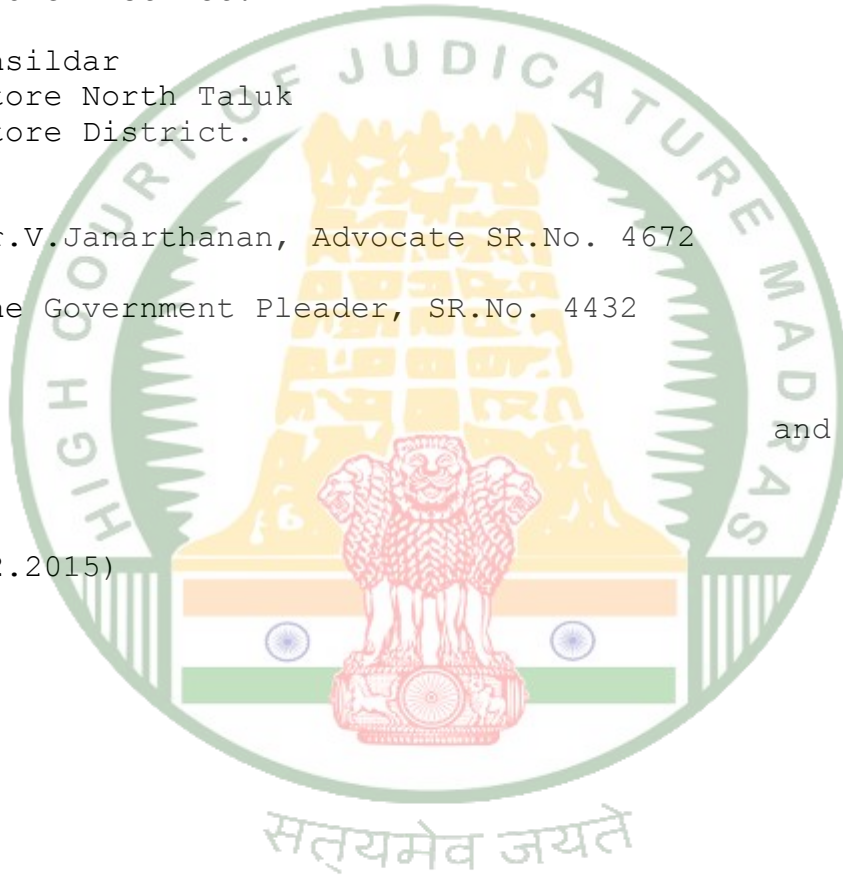
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1 CC to Mr.V.Janarthanan, Advocate SR.No. 4672

1 CC to the Government Pleader, SR.No. 4432

WP.No.712/2015
and M.P.No.1 of 2015

RSY (CO)
PSI (11.02.2015)



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