



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :28.10.2015

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD) .No.19406 of 2015

Palanivelu

... Petitioner

Vs.

The Tahsildar,
Karambakudi Taluk,
Pudukkottai District.

... Respondents

Prayer:

This Writ Petition has been filed under Article 226 of Constitution of India praying for a Writ of Mandamus, directing the respondent to issue Legal Heir Certificate on the basis of the petitioner's representation, dated 10.09.2015 within a time frame to be stipulated by this Hon'ble Court.

For petitioner : Mr.K.N.Govardhanan
For Respondents : Mr.S.Kumar
Addl.Govt. Pleader

ORDER

The Writ Petition has been filed praying for a Writ of Mandamus, directing the respondent to issue Legal Heir Certificate on the basis of the petitioner's representation, dated 10.09.2015.

2. Mr.S.Kumar, learned Additional Government Pleader takes notice for the respondent.

3. By consent, this Writ Petition itself is taken up final disposal.

4. In the affidavit filed support of the Writ Petition, it has been averred that the petitioner is the son of the Rengan and Pottammal. The petitioner is having two sisters viz., Annapoornam and Vannathal. The petitioner's father died on 24.08.2010 leaving behind the petitioner's mother, petitioner and his two sisters as his legal heirs. The petitioner's mother died on 05.03.2012. Now the petitioner and his two sisters are the legal heirs of their parents. Now the Legal Heirship Certificate is very much required for various reasons including availing of benefits of



Government Schemes. Therefore, the petitioner has made a representation dated 28.08.2014 seeking Legal Heirship Certificate. Till date, the said representation was not considered. Again the petitioner has made a representation dated 10.09.2015 to the respondent. Since the same was not disposed of till date, the petitioner has come forward with this Writ petition for the above stated relief.

5. Considering the facts and circumstances of the case, without going into the merits of the case, this Court directs the respondent to consider the representation of the petitioner, dated 10.09.2015 and pass appropriate orders on the same on merits and in accordance with law, by affording an opportunity of hearing to all the necessary parties with regard to issue of Legal Heir Certificate, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court is not expressing any opinion on the merits of the claim made by the petitioner.

6. With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

The Tahsildar,
Karambakudi Taluk,
Pudukkottai District.

+ 1 CC TO MR.K.N.GOVARDHANAN, ADVOCATE IN SR NO. 62839
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR NO. 63158

AM
TE/SKS-RR/ 27/11/2015 : 2P/4C

W.P (MD) .No.19406 of 2015
28.10.2015