

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.11132 of 2016

Mrs.Saraswathi Devarajan

.. Petitioner

Vs.

1. The District Collector,
District Collector Office,
Singaravelar Maligai,
Chennai-600 001.
 2. The Tahsildar,
Perambur Taluk,
Perambur, Chennai-600 011.
 3. The Tahsildar,
Mambalam Taluk,
Mambalam, Chennai-600 078.
 4. The Revenue Inspector,
Mambalam Taluk,
Mambalam, Chennai-600 078.
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the third respondent to dispose of the petitioner's application, dated 17.04.2015 pertaining to the issuance of Legal Heirship Certificate of the deceased petitioner's husband, viz., Mr.Devarajan.

For Petitioner : Mr.T.Premanand

For Respondents : Mr.V.S.Ramesh, Govt. Advocate

ORDER

The petitioner has filed this Writ Petition praying for issuance of a Writ of Mandamus to direct the third respondent to dispose of the petitioner's application, dated 17.04.2015 pertaining to the issuance of Legal Heirship Certificate of the deceased petitioner's husband, viz., Mr.Devarajan.

2. It is averred by the petitioner in the affidavit filed in support of the Writ Petition that her husband Thiru.Devarajan expired on 10.09.1990. She made application, dated 17.04.2015 along with documents to appropriate authority. In spite of her several petitions to the third respondent, no action is taken for issuance of Legal Heirship Certificate pertaining to her deceased husband and the pendency of issuance of the said Certificate causes mental agony to her, she being a senior citizen of 72 years.

3. Though very many contentions are raised in the Writ Petition, at the time of hearing, the learned Government Advocate appearing for the respondents submitted that the third respondent will consider the request of the petitioner in her petition, dated 17.04.2015 for issuance of Legal Heirship Certificate, and pass appropriate orders within a stipulated time that may be fixed by this Court.

4. In view of the above submission of the learned Government Advocate and without going into the merits or otherwise of the contentions raised by the petitioner in her affidavit, this Court directs the third respondent to consider the said representation/petition of the petitioner, dated 17.04.2015 for issuance of Legal Heirship Certificate pertaining to her deceased husband, conduct enquiry and give an opportunity of personal hearing to the petitioner and other necessary parties and thereafter pass appropriate orders and dispose of the said representation/petition, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner and it is for the third respondent to decide the same.

5. With the above observations and directions, the Writ Petition is disposed of. No costs.

सत्यमेव जयते

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

CS

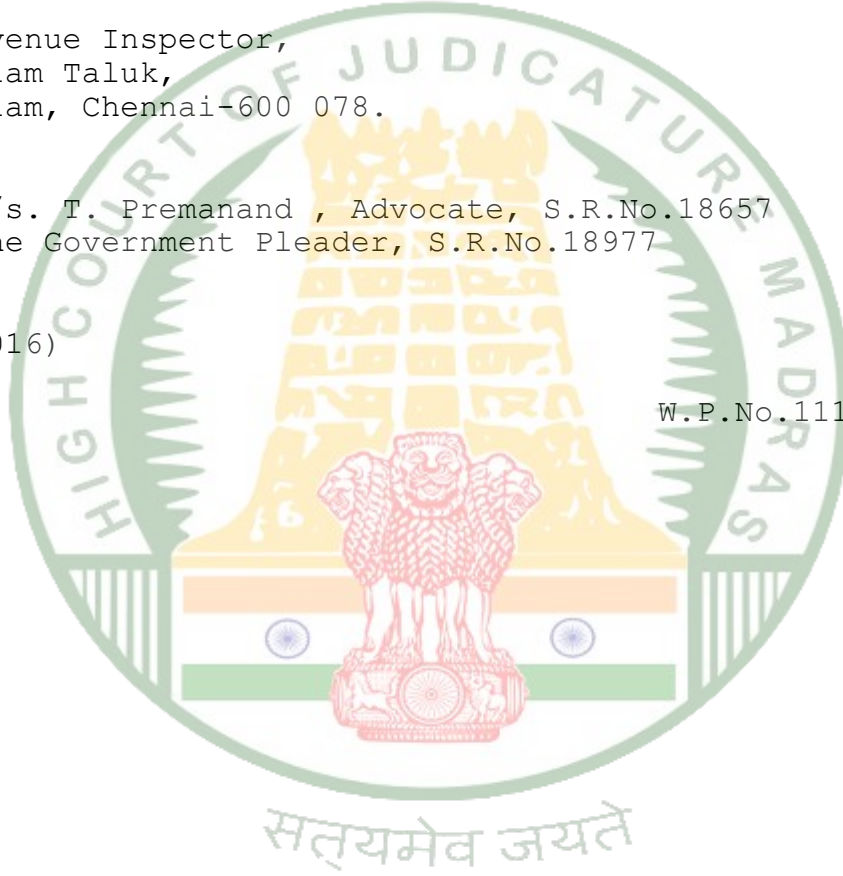
To

1. The District Collector,
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3. The Tahsildar, Mambalam Taluk,
Mambalam, Chennai-600 078.
4. The Revenue Inspector,
Mambalam Taluk,
Mambalam, Chennai-600 078.

+1cc to M/s. T. Premanand , Advocate, S.R.No.18657
+1cc to the Government Pleader, S.R.No.18977

SKV(CO)
EU(7/04/2016)

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