

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.12351 of 2016

S.Sathya

... Petitioner

vs.

1.The District Collector,
Chennai Collectorate Office,
Chennai - 600 001.

2.The Tahsildar,
Velachery Taluk office,
Chennai- 600 113.

3.The Revenue Inspector,
Office of Velachery Taluk office,
Chennai - 600 113.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the second respondent to add the purpose in the already issued legal heir ship of the petitioner's mother R.Kanchana Vide proceedings dated 08.10.2014 in Ni.Mu.Aa.2/11625/2014 Serial No.497/2014 by disposing the petitioner's representation dated 29.07.2015 within a time frame fixed by this Court.

For Petitioner : Mr.S.Vijayakumar

For Respondents : Mr.M.Dig Vijaya Pandian,
Additional Government Pleader

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the second respondent to add the purpose in the legal heir certificate of her mother R.Kanchana already issued vide proceedings dated 08.10.2014 in Ni.Mu.Aa.No.2/11625/2014 Serial No.497/2014, by disposing the

petitioner's representation dated 29.07.2015 within a time frame fixed by this Court.

2. It is the case of the petitioner that her mother R.Kanchana worked as Anganwadi helper in Centre No.10102 attached to the office of Child Development Project and died on 01.04.2014. After enquiry, the second respondent had issued a legal heir certificate of the deceased R.Kanchana vide proceedings dated 08.10.2014 in Ni.Mu.Aa.2/11625/2014 as Sl.No.497/2014 stating that her legal heirs are (i)R.Devendran, who is the brother of the petitioner and (ii)S.Sathya, who is the petitioner herein and the purpose for issuing the same is to change the name in the Tamil Nadu Slum Clearance Board property. Subsequently, the petitioner's brother R.Devendran died on 27.05.2015. Thereafter, she made an application dated 29.07.2015 to the second respondent, requesting him to correct her name as S.Sathya instead of S.Sathiya and also add other purposes such as, to claim death benefits and bank deposits and shares held in the name of her mother and to change the Electricity service connection and water and sewerage connection etc., in the legal heir certificate already issued vide proceedings dated 08.10.2014. On receipt of the same, the petitioner was called for enquiry. Accordingly, she attended the enquiry and made her submissions before the Revenue Tahsildar, Velachery Taluk Office. However, till date, no order has been passed by the second respondent. Therefore, the petitioner has filed the present petition for the above stated relief.

3. When the matter came up for consideration, the learned Additional Government Pleader, who took notice for the respondents, produced a communication dated 02.04.2016 bearing No.Na.Ka.A2/11245/2015 received from the second respondent and submitted that the petitioner's application is under process and her request would be considered, based on the documents produced by her.

4. Therefore, recording the submission so made by the learned Additional Government Pleader, the second respondent is directed to pass appropriate orders on the petitioner's application dated 29.07.2015, by affording due opportunity of personal hearing to the petitioner, 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 with regard to the merits of the claim made by the petitioner and it is for the second respondent to pass appropriate orders purely on merits and in accordance with law.

5. The writ petition is disposed of accordingly. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The District Collector,
Chennai Collectorate Office,
Chennai - 600 001.

2.The Tahsildar,
Velachery Taluk office,
Chennai- 600 113.

3.The Revenue Inspector,
Office of Velachery Taluk office,
Chennai - 600 113.

+1 cc to M/S.S.Vijayakumar Advocate sr.21401

+1 cc to Government Pleader sr.21290

W.P.No.12351 of 2016

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