

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.13277 of 2016

1.A.Sharmila
2.Sathiya

... Petitioners

vs.

1.The District Collector,
Office of the Collectorate,
Chennai.

2.The Tahsildar,
Velacherry,
Chennai.

... 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 issue legal-heir certificate to the petitioners in view of the application dated 29.10.2015 within stipulated time that may be fixed by this Court.

For Petitioners : Mr.S.Arivazhagan

For Respondents : Mr.S.Navaneethan,
Addl. Govt. Pleader

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioners have come up with the present writ petition for a mandamus, directing the second respondent to issue legal-heir certificate to them by considering their application dated 29.10.2015 within a stipulated time that may be fixed by this Court.

3. It is the case of the petitioners that their mother Vimala died on 22.8.2015 leaving them as her only surviving

legal heirs. Their father and brother died prior to the death of their mother. After the demise of their mother, the petitioners approached the second respondent for issuance of legal-heir certificate, along with relevant documents. But, their request was not considered. Thereafter, they approached the second respondent for several times. Finally, they made an application on 29.10.2015 to the second respondent for issuance of legal-heir certificate. But, till date, despite their repeated request, the said application was also not considered. Hence, the petitioners have come up with the present writ petition seeking a direction to the second respondent to issue legal-heir certificate to them by considering their application dated 29.10.2015 within a stipulated time.

4. I have heard the learned counsel appearing for the petitioners and the learned Additional Government Pleader, who has taken notice on behalf of the respondents.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, without going into the merits of the claim made by the petitioners, this Court directs the second respondent to consider the application of the petitioners dated 29.10.2015 with regard to the issuance of legal-heir certificate and pass appropriate orders, on merits and in accordance with law, by affording an opportunity of personal hearing to the petitioners as well as to the necessary parties, if any, within a period of six weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar

True Copy

सत्यमेव जयते
Sub-Assistant Registrar

To

1.The District Collector,
Office of the Collectorate,
Chennai.

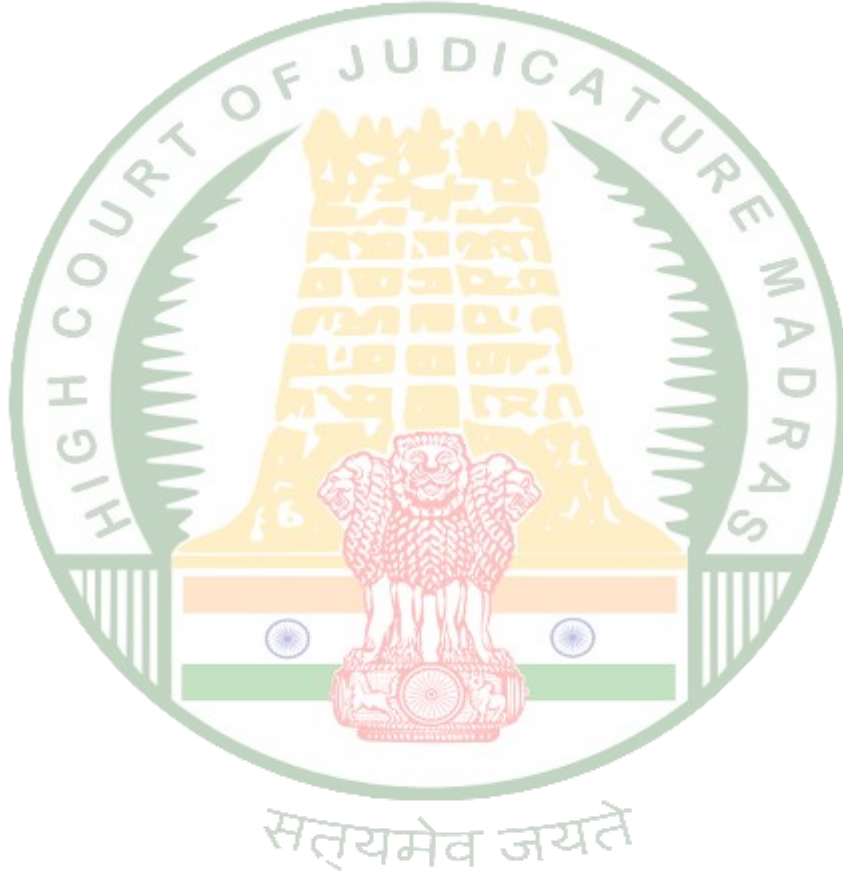
2.The Tahsildar,
Velacherry,
Chennai.

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+1 cc to Mr.S.Arivazhagan Advocate vide sr.23263
+1 cc to Government Pleader vide sr.22745

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