

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:20.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN

W.P.No.13878 of 2015

M.Mothiraj

..Petitioner

vs.

The Tahsildar
Fort-Tondiarpet Taluk
T.H.Road, Tondiarpet
Chennai 600 081.

.. Respondent

Prayer: Writ petition under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus to call for the records pertaining to respondent's order/communication in Na.Ka.No.A6/13365/2014 dated 03.03.2015 rejecting to issue legal heirship Certificate to the petitioner due to the death of his mother J.Rita @ Arokiamary; to quash the same and to direct the respondent to issue the legal heirship certificate of J.Rita @ Arokiamary to the petitioner.

For Petitioner : Mr.S.Pushpakaran

For Respondent : Mr.R.Ravichandran

Additional Government Pleader

ORDER

This writ petition has been filed challenging the proceedings of the respondent, dated 03.03.2015, rejecting the request of the petitioner to issue a legal heirship Certificate, stating that the petitioner is the legal heir of his mother, late J.Rita @ Arokiamary, and for a direction to direct the respondent to issue the said certificate.

2. Even though various grounds have been raised by the petitioner, in the present writ petition, the learned Additional Government Pleader appearing on behalf of the respondent has submitted, at this stage of the hearing of the writ petition, that the respondent would reconsider the claim of the petitioner for the issuance of the legal heirship Certificate, if sufficient documents, as required by the respondent, are produced by the petitioner, as the earlier order, dated 03.03.2015, rejecting the request of the petitioner had been passed on the ground that the petitioner had not produced sufficient documents to prove that he is the legal heir of his late mother J.Rita @ Arokiamary.

3. In view the said submissions made by the learned Additional Government Pleader, appearing on behalf of the respondent, this Court finds it appropriate to permit the petitioner to approach the respondent, for the issuance of the legal heirship Certificate, as

claimed by him, with all necessary documents to substantiate the claim. As such, the petitioner is permitted to submit a representation to the respondent, within a period of four weeks from the date of receipt of a copy of this order. On receipt of such representation from the petitioner, the respondent shall consider the same and pass appropriate orders thereon, within a period of eight weeks, thereafter.

4. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

To

The Tahsildar
Fort-Tondiarpet Taluk
T.H.Road, Tondiarpet
Chennai 600 081.

+1 cc to Mr.S.Pushpakaran, Advocate,SR.34312

+1 cc to Govt.Pleader,SR.34141.

ks(co)
krd 20/7

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