

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.16312 of 2016

K.Thamayanthi

... Petitioner

vs.

The Tahsildar
Thiruvottriyur Taluk Office,
Thiruvottriyur.

.... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing the respondent to pass orders on the application of the petitioner dated 07.01.2016 and 20.04.2016 for the issuance of Legal heir certificate to the petitioner, petitioner's sons and daughters viz., 1.Periyathal, 2.Porselvi, 3.Pandian, 4.Annadurai, 5.Kamaraj, 6.Anbalagan, 7.Mathiyalagan, 8.Raja, 9.Rebakkal, 10.Amutha, W/o.Karunanidhi, 11.Elakiya and 12.Vigneswaran that they are the legal heirs of the deceased Karuppasamy.

For Petitioner : Mr.K.A.Prabaharan

For Respondent : Mrs.M.E.Rani Selvam,
Additional Government Pleader

सत्यमेव जयते

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the respondent to pass orders on her applications dated 07.01.2016 and 20.04.2016 for the issuance of Legal heir certificate of the deceased Karuppasamy.

2. The case of the petitioner is that her husband Karuppasamy died on 08.12.2009. She has three daughters and seven sons, out of which, one of the sons by name Karunanidhi died. She made an application to the respondent on 07.01.2016 requesting to issue a legal heir certificate by stating the petitioner, her sons and daughters and also the legal heirs of

the deceased son Karunanidhi as the legal heirs of deceased Karuppasamy. On receipt of the same, the respondent forwarded the petitioner's application to the Village Administrative officer, Thiruvottriyur for enquiry. After enquiry, the petitioner was directed to produce the computerised copy of the death certificate of deceased Karuppasamy. Accordingly, the petitioner furnished the same to the Tahsildar on 16.04.2016 and to the respondent on 20.04.2016. However, till date, no order has been passed by the respondent. Therefore, the petitioner has filed the present writ petition for the above stated relief.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader, who took notice for the respondent.

4. Considering the limited nature of the relief sought for in this writ petition, without expressing any opinion with regard to the merits of the claim made by the petitioner, this Court directs the respondent to conduct enquiry on the petitioner's applications dated 07.01.2016 and 20.04.2016 and pass appropriate orders, with regard to issuance of legal heir certificate of the deceased Karuppasamy, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.

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

-s/d-
Assistant Registrar (CSIV)

True Copy

Sub-Assistant Registrar

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To
The Tahsildar
Thiruvottriyur Taluk Office,
Thiruvottriyur.

+1 cc to Government Pleader sr.27363
+1 cc to Mr.S.Doraisamy Advocate sr.27172

W.P.No.16312 of 2016

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