



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 21.06.2016

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P (MD) No.10860 of 2016

Seema

..Petitioner

Vs

1.The District Collector,
Kanyakumari District,
at Nagercoil.

2.The Tahsildar,
Vilavancode Taluk,
Kanyakumari District.

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the second respondent to issue Legal Heir Certificate to the Petitioner as the legal heirs of the deceased Ravikumar by considering the application of the Petitioner, dated 7.4.2016 within the time stipulated by this Court.

For Petitioner :M/s.S.C.Herold Singh

For Respondents :Mr.J.Gunaseelan Muthiah
Govt.Advocate

ORDER

Heard both sides.

2.By consent of both sides, the main Writ Petition itself is taken up for final disposal.

3.According to the Petitioner, her husband was admitted in NIMS Hospital, Kerala State and she took all possible efforts to save his life. But, it all ended in vein and finally, he expired on 18.10.2015, leaving behind her and his parents, as legal heirs.

4.The death of the Petitioner's husband was registered on 27.10.2015 bearing Registration No.690 of 2015 at Neyyattinkara Municipality. She applied on 7.4.2016 for the Legal Heirship Certificate before the Second Respondent/The Tahsildar, Vilavancode Taluk, Kanyakumari District. Till date, the said representation has not met with any positive response.



5. In view of the fact that the Petitioner's representation/application, dated 7.4.2016 is pending before the Second Respondent without any disposal or progress in the subject-matter in issue, at this stage, this Court without going into the merits and contents of the representation of the Petitioner, dated 7.4.2016, simpliciter, directs the Second Respondent/The Tahsildar, Vilavancode Taluk, Kanyakumari District to take up the Petitioner's representation/application, dated 7.4.2016 within one week from the date of receipt of a copy of this order. Thereafter, the Second Respondent is to dispose of the said representation of the Petitioner, dated 7.4.2016 on merits (of course after providing necessary opportunity to the Petitioner and others concerned, if any by adhering to the principles of natural justice in true letter and spirit). The said order is to be passed within a period of three weeks thereafter. It is open to the Petitioner to produce copies of all necessary/relevant documents before the Second Respondent/The Tahsildar, Vilavancode Taluk, Kanyakumari District and the Second Respondent shall take into consideration of the same at the time of disposal of the representation of the Petitioner, dated 7.4.2016.

6. With the aforesaid observations and directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS I)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Kanyakumari District,
at Nagercoil.

2. The Tahsildar,
Vilavancode Taluk,
Kanyakumari District.

+1cc to Mr. S.C. Herold Singh, Advocate SR.No.31779
+1cc to the special Government Pleader SR.No.31714

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