



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:09.12.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P. (MD) No.23853 of 2016

R.Seetha

... Petitioner

Vs.

1.The District Collector,
Office of the District collector,
Ramanathapuram District.

2.Revenue Divisional Officer,
Office of the Revenue Divisional officer,
Paramakudi Revenue Division,
Paramakudi, Ramanathapuram District.

3.The Tahsildar,
Office of the Tahsildar,
Muthukulathur Taluk,
Ramanathapuram District.

... Respondents

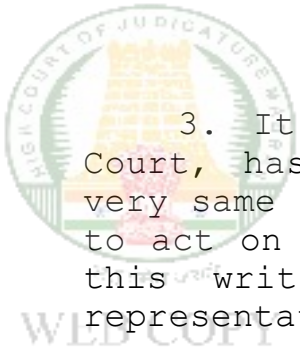
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent No.3 to issue legal heir certificate to the petitioner and her children by names R.Selvaganesh, R.Selvapriya and R.Selvaramya as legal heirs to Late.Ramachandran as per the decree and judgment of the learned District Munsif, Muthukulathur in O.S.No.49 of 2016, dated 28.07.2016 within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.S.Malaikani
For Respondents : Mr.T.S.Mohammed Mohideen
Additional Government Pleader

O R D E R

Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader takes notice for the respondents.

2. The petitioner seeks for a direction to the third respondent to issue Legal Heir Certificate to the petitioner and her children, as per the decree and judgment of the District Munsif Court, Muthukulathur, made in O.S.No.49 of 2016, dated 28.07.2016.



3. It appears that the petitioner, before approaching this Court, has made a representation on 04.12.2016 seeking for the very same relief. However, without waiting for the said official to act on such representation, the petitioner has hurriedly filed this writ petition within two days from the date of said representation.

4. Though this Court is not inclined to entertain such practice, however, by considering the fact that the petitioner is seeking a Legal Heir Certificate as per a Court decree, it is for the third respondent to consider the said request and pass orders on the same on merits and in accordance with law after hearing all the parties concerned, within a reasonable time. If no order is passed within a reasonable time, it is open to the petitioner to approach this Court and seek for further direction by filing appropriate petition.

With the above observation, this Writ Petition is disposed of.
No Costs.

Sd/-

Deputy Registrar (Admin)

/True Copy/

Sub Assistant Registrar

To

1.The District Munsif, Mudukulathur.

2.The District Collector,
Office of the District collector,
Ramanathapuram District.

3.Revenue Divisional Officer,
Office of the Revenue Divisional officer,
Paramakudi Revenue Division,
Paramakudi, Ramanathapuram District.

4.The Tahsildar,
Office of the Tahsildar,
Muthukulathur Taluk,
Ramanathapuram District.

+ 1 CC TO Mr.S.MALAIKANI, ADVOCATE IN SR No. 80238
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 80501

PM

TE/GSV-PM : 02/01/2017 : 2P/7C