

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

WRIT PETITION No.5306 of 2017

K.Kasiammal

... Petitioner

vs.

1. The State of Tamil Nadu,
rep. by Secretary to Government,
Revenue Department,
Fort St. George,
Chennai 600 001.
2. The Tahsildar,
Maduravoyal Taluk Office,
Gangai Amman Koil Street,
Alapakkam,
Chennai 600 116.
3. The Village Administrative Officer,
Vinayagam (V.A.O.),
Vanagaram,
Chennai 600 077.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the respondents 2 and 3 herein to consider the representation dated 07.11.2016 to issue legal heirship certificate to the petitioner for the reason that her husband died on 26.06.2016.

For Petitioner : Mr.S.Vengatesan

For Respondents: Mr.S.V.Durai Solaimalai
Addl. Government Pleader

O R D E R

The petitioner has filed this Writ Petition seeking a direction to respondents 2 and 3 herein to consider her representation dated 07.11.2016 to issue legal heirship certificate to her on account of the death of her husband.

2. According to the petitioner, her husband viz. V.Kuppusamy died on 26.06.2016 leaving behind her and her five sons, as his legal heirs. It is her case that she applied for issuance of legal heir certificate to the respondents 2 and 3 on 21.09.2016, as a civil dispute pertaining to her husband's property is pending before the Subordinate Court at Poonamallee. Since no reply is forthcoming from respondents 2 and 3, the petitioner made a representation to them on 07.11.2016. Pending consideration of the same, she is before this Court.

3. Heard the learned counsel on either side and perused the material documents available on record.

4. Considering the facts and circumstances of the case, this Court directs the respondents 2 and 3 herein to consider the petitioner's representation dated 07.11.2016 seeking issuance of Legal Heir Certificate to her, on merits and in accordance with law and pass appropriate orders within a period of two months from the date of receipt of a copy of this order.

This Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To:

1. The Secretary to Government,
State of Tamil Nadu,
Revenue Department,
Fort St. George,
Chennai 600 001.

2. The Tahsildar,
Maduravoyal Taluk Office,
Gangai Amman Koil Street,
Alapakkam, Chennai 600 116.

+1cc to M/s. S.Venkatesan, Advocate, S.R.No.13987
+1cc to the Government Pleader, S.R.No.13844

NR(CO)
EU 17.3.17

W.P.No.5306 of 2017