

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2017

CORAM

The Honourable MR. JUSTICE M.DURAI SWAMY

W.P.No.7711 of 2017

1. Kavitha [Petitioners]
2. Ajit Kumar.R

Vs

The Tahsildar
Pallavaram Kancheepuram District [Respondent]

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorarified mandamus to call for the records on the file of the respondent herein being proceeding Oo. Mu. No.1917/ 2016/ A3 dated 16.09.2016 and quash the same as illegal & unsustainable in law and consequently to direct the respondent to hold enquiry as per guidelines issued by Government in Circular NO.1534 dated 28.11.1991 r/w the order made in W.P. No.2525/ 2016 dated 11.03.2016 of this Honourable High Court Chennai and direct the respondent for issuance of legal heir- ship certificate to the petitioners with a time based period.

For Petitioners : Mr.K.S.Narayanan

For Respondent : Mr.A.N.Thambidurai, SGP

ORDER

Mr.A.N.Thambidurai, learned Special Government Pleader takes notice for the respondent.

2. By consent, the main writ petition itself is taken up for final disposal at the admission stage itself.

3. The petitioners have filed the above writ petition to issue a writ of certiorarified mandamus to call for the records on the file of the respondent dated 16.09.2016 and to quash the same and consequently to direct the respondent to hold enquiry as per guidelines issued by the Government in Circular dated 28.11.1991 read with the order made in W.P. No.2525/ 2016 dated

11.03.2016 and to direct the respondent for issuance of legal heir- ship certificate to them.

4. It is settled position that there is no period of limitation prescribed for the issuance of legal heir-ship certificate by the respondent.

5. Mr.A.N.Thambidurai, learned Special Government Pleader for the respondents fairly submitted that the respondents may be directed to consider the petitioners' application, conduct enquiry and pass suitable orders within a time frame, on merits and in accordance with law.

6. Having regard to the submissions made by the learned counsel on either side, the impugned order dated 16.09.2016 passed by the respondent is set aside and the respondent is directed to consider the petitioners' application and after conducting due enquiry, pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

With these observations, the writ petition is allowed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

The Tahsildar,
Pallavaram,
Kancheepuram District.

+1cc to Mr.K.S.Narayanan, Advocate Sr.19574
+1cc to the Government Pleader Sr.20249

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