

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.23722 of 2017

V.Saroja

.. Petitioner

Vs.

1.The Collector,
Kancheepuram District,
Kancheepuram.

2.The Revenue Inspector,
Alandur Taluk,
Alandur,
Chennai.

3.The Tahsildar,
Alandur Taluk,
Alandur,
Chennai.

4.N.Nagarajan

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified mandamus to call for the records of the third respondent vide his proceeding No.OMu.No.2965/A6 dated 11.05.2015 quash the same and consequently direct the third respondent to issue the legal heir certificate relating to T.S.Natesan, who died on 11.12.1992 as per communication of the second respondent dated 07.04.2015 vide proceeding No.Umu.431/2015.

For Petitioner : Mr.J.Muthukumaran
For Respondents : Mr.R.Govindasamy for R1 to R3
Special Government Pleader

O R D E R

The petitioner is aggrieved against the order of the third respondent dated 11.05.2015, wherein and whereby, her request for grant of legal heirship certificate for her deceased father was rejected solely on the reason that the petitioner approached after 23 years of the death of her father.

2.Heard both sides.

3.Learned counsel appearing for the petitioner submitted that the third respondent is not justified in rejecting the request solely on the ground that the petitioner made the request after 23 years without following the guidelines issued by the Government in Letter No.1534 dated 28.11.1991. He also submitted that the very same letter was considered by this Court in W.P.No.20044 of 2010 dated 01.02.2011 and this Court, while setting aside the order therein, directed the Tahsildar to take note of the said Government letter and pass appropriate orders on the application of the petitioner therein for issuance of the legal heirship certificate. Perusal of the said order passed by this court would clearly show that the issue involved in this case is squarely covered by the above said decision.

4.Learned Special Government Pleader appearing for the respondents is not disputing the above said fact. Therefore, the writ petition is allowed and the impugned order is set aside. Consequently, the third respondent is directed to consider the request of the petitioner and pass appropriate orders, by taking note of the guidelines issued by the Government in Letter No.1534 dated 28.11.1991. Such exercise shall be done by the third respondent within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

vri

To

1.The Collector,
Kancheepuram District,
Kancheepuram.

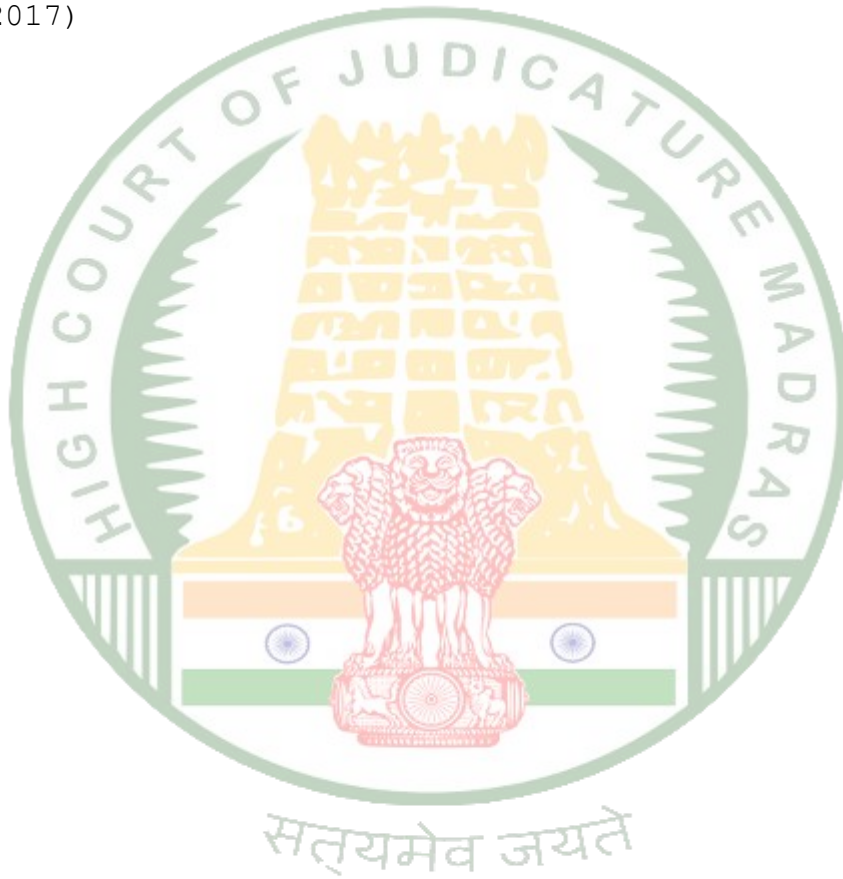
2.The Revenue Inspector,
Alandur Taluk,
Alandur,
Chennai.

3.The Tahsildar,
Alandur Taluk,
Alandur,
Chennai.

+1cc to Mr.J.Muthukumaran Advocate, S.R.No. 83757/17
+1cc to the Government Pleader, S.R.No. 84254/17

W.P.No.23722 of 2017

TR(06/12/2017)



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