



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.08.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.15413 of 2017

T.Shantha

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Revenue Divisional Officer (RDO),
Sankarankovil Taluk,
Tirunelveli District.

3.The Tahsildar,
Sankarankovil Taluk,
Tirunelveli District.

4.The Village Administrative Officer,
Kurukkalpatti Village, Sankarankovil Taluk,
Tirunelveli District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner representation letter dated 10.07.2017 and further directing the respondents to issue correct legal heir certificate after completing due process of enquiry in accordance with law.

For Petitioner :Mr.S.Ramajayam
For Respondents :Mr.G.Muthukannan
Government Advocate

ORDER

The writ petition has been filed seeking a direction to the respondents to consider the representation of the petitioner dated 10.07.2017 and issue correct legal heir certificate.

2.Mr.G.Muthukannan, learned Government Advocate takes notice for the respondents. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The petitioner would state that he was born to Muthaiyadevar and Vallithai @ Valliyammai. After her birth, her mother passed



away and thereafter, her father married one Kutithai as second wife and through her he had six children. Her father died on 25.01.2009.

4. The petitioner would allege that she is the legal heir of his father Muthaiyadevar. But the second wife's children had obtained legal heirs certificate suppressing fact. Hence, the petitioner sent a representation dated 10.07.2017. Since no favourable order was passed to issue correct legal heir certificate, the present writ petition.

5. Considering the limited scope of the prayer sought for by the petitioner, this Court, without going into the merits of the matter, directs the third respondent to consider the representation of the petitioner dated 10.07.2017 and pass appropriate orders on merits and in accordance with law, after providing opportunity to all necessary parties, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Tirunelveli District,
Tirunelveli.
2. The Revenue Divisional Officer (RDO),
Sankarankovil Taluk,
Tirunelveli District.
3. The Tahsildar,
Sankarankovil Taluk,
Tirunelveli District.
4. The Village Administrative Officer,
Kurukkalpatti Village, Sankarankovil Taluk,
Tirunelveli District.

+1cc to M/S.S.Ramajayam, Advocate SR.No.72737
+1cc to Special Government Pleader, SR.No. 73181

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