

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED 20.09.2017
CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE K. KALYANASUNDARAM**W.P (MD) No. 17674 of 2017**

A. Sepasthiyammal

... Petitioner

Vs

The Tahsildar,
Dindigul West Taluk Office,
Dindigul, Dindigul District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent to issue the legal heir certificate of the Petitioner's daughter namely Samboorna Sagayarani to the Petitioner based on the Petitioner's representation, dated 14.12.2016 and give compensation for ambulating the Petitioner.

For Petitioner : M/s.G.Gomathi Sankar

For Respondents : Mr.C.Selvaraj
Spl.Govt.Pleader

ORDER

The Petitioner has come up with the present Writ Petition seeking issuance of a Writ of Mandamus directing the respondent to issue the legal heir certificate of the Petitioner's daughter namely Samboorna Sagayarani to the Petitioner based on the Petitioner's representation, dated 14.12.2016 and give compensation for ambulating the Petitioner.

2.Mr.C.Selvaraj, learned Special Government Pleader takes notice for the respondents.

3.By consent of both parties, the main Writ Petition is taken up for disposal, at the admission stage itself.

4.According to the Petitioner, her daughter Samboorna Sagayarani was married to one Raja Mahendran. The Petitioner's daughter died on 6.9.1992, leaving behind the Petitioner, her husband and her father as legal heirs. Subsequently, the Petitioner's son-in-law had also died in an accident.



5.The Petitioner would claim that she is the only legal heir for her daughter and in O.S.No.126 of 2016, the respondent reported stating that he has no objection for issuing legal heir certificate to the Petitioner. Despite the same, Legal Heirship Certificate was not issued. Hence the Petitioner sent a representation, dated 14.12.2016 to the respondent. Since no favourable order was passed, the Petitioner has filed this Writ Petition.

6.Considering the submission made by the learned counsel for the Petitioner, without going into the merits of the case, this Court directs the respondent to consider the representation of the Petitioner, dated 14.12.2016 on merits and in accordance with law and pass appropriate orders on the same, after giving notice to the Petitioner and other interested parties, if any, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

The Tahsildar,
Dindigul West Taluk Office,
Dindigul, Dindigul District.

+1cc to M/S. G.GOMATHI SANKAR, Advocate, SR.No.79935.
+1cc to Special Government Pleader, SR.No.80888.

W.P(MD)No.17674 of 2017

20.09.2017

vsn
SDS/MR:KKR/SAR 2/03.10.2017/2P/4C