



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2017

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.20766 of 2017

WEB COPY

1.P.Muthammal

2.N.Muthulakshmi

... Petitioners

-Vs-

1. The Tahsildar,
Revenue Office,
Dindigul East Taluk,
Dindigul District.

2. The Deputy Tahsildar,
Revenue Office,
Dindigul East Taluk,
Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, directing the first respondent to call for the impugned order in O.Mu.No1776/217/A1 dated 13.03.2017 passed by 1st respondent and cancel the same subsequently directing the 1st respondent to issue the Legal heirs Certificate, within a stipulated time that may be fixed by this Court.

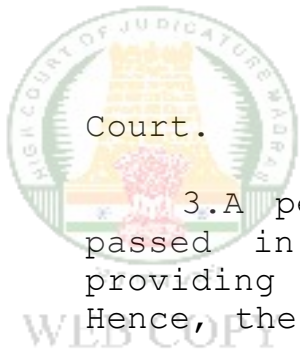
For Petitioner : Mrs.G.Kavitha

For Respondents : Mr.T.S.Mohamed Mohideen,
Additional Government Pleader.

O R D E R

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

2. The petitioners, seeking legal heir certificate approached the authorities and the claim of the petitioners had initially been considered by the Village Administrative Officer as well as by the Revenue Inspector and it was also forwarded to the Tahsildar - the first respondent herein. According to the learned counsel for the petitioners, without considering any of the documents produced by the petitioners and also without affording any opportunity of personal hearing, the first respondent straight away rejected their claim. Hence, the petitioners are before this



Court.

3.A perusal of the impugned order reveals that it has been passed in a cryptic way and in a slip shot manner without providing any opportunity of personal hearing to the petitioners. Hence, the impugned order is liable to set aside.

4.Accordingly, the impugned order is set aside. The matter is remitted to the first respondent, who is directed to re-consider the claim of the petitioners on merits and in accordance with law and pass appropriate fresh orders, after affording due opportunity of personal hearing to the petitioners as well as to the interested parties, if any, within a period of four weeks from the date of receipt of a copy of this order.

5.With the above direction this writ petition is disposed of. No cost.

Sd/-
Assistant Registrar (co)

/True copy/

Sub Assistant Registrar

To

1. The Tahsildar,
Revenue Office,
Dindigul East Taluk,
Dindigul District.
2. The Deputy Tahsildar,
Revenue Office,
Dindigul East Taluk,
Dindigul District.

+ 1 CC TO MR.A.SANTHANAM, ADVOCATE IN SR No.86323
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.87036
dsk
MK/SKN RSK/SAR-4/14.11.2017/2P/5C

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