



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.22494 of 2017

K.Selvam

... Petitioner

-vs-

The Tahsildar (Madurai South),
Office of the District Collector,
Collectorate buildings, Madurai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the Respondent to dispose the application filed by the petitioner dated 18.11.2017, by conducting an enquiry as per guideline issued by Government in Circular No.1534, dated 28.11.1991 for issuance of legal heirship certificate and to issue the legal heirship certificate within a time frame as may be fixed by this Court.

For Petitioner : Mr. P.Jessi Jeeva Priya
For Respondent : Mr. M. Alagathevan
Spl. Govt. Pleader

O R D E R

This writ petition has been filed, seeking a direction to the respondent to dispose of the application filed by the petitioner dated 18.11.2017, by conducting an enquiry as per the guideline issued by Government in Circular No.1534 dated 28.11.1991 for issuance of legal heirship certificate.

2. Mr.M.Alagathevan, learned Special Government Pleader takes notice for the respondent. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that after the death of his father, his mother applied for legal heirship certificate and owing to her illiteracy, she did not keep the copy of the said application. Therefore, the petitioner once again submitted another representation dated 18.11.2017, seeking issuance of the legal heirship certificate by following due procedures as mandated under Circular No.1534 dated 28.11.1991. Since no action has been taken on the said application/representation, the petitioner is before this Court with the above prayer.

4. The learned Special Government Pleader appearing for the respondent would submit that if a reasonable time is granted to the respondent, the application/representation of the petitioner will be considered and appropriate orders be passed.



5. Considering the facts and circumstances of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the respondent to consider the application/representation of the petitioner dated 18.11.2017 and pass suitable orders thereon on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and other interested parties, if any in the light of the Circular No.1534 dated 28.11.1991.

6. With the above direction, this petition is disposed of.
No costs.

Sd/-

Assistant Registrar(CSIII)

/True Copy/

Sub-Assistant Registrar

To:

The Tahsildar (Madurai South),
Office of the District Collector,
Collectorate buildings
Madurai District.

+One cc to Mr.N.Subramanian, Advocate, SR.No.91897

+One cc to The Special Government Pleader, SR.No.92096

ar

RL/4C/2P/SKN/RSK/SAR1/21/12/2017

W.P (MD) No.22494 of 2017

08.12.2017