



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.22751 of 2017

N.Ramasamy

... Petitioner

vs.

The Tahsildar,
Kariyapatti Taluk,
Virudhunagar District.

... Respondent

Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the respondent to issue a legal heirs certificate to the petitioner on the basis of petitioner's representation dated 31.07.2017 within a stipulated time fixed by this Court.

For Petitioner : Mr.J.Jeyakumaran

For Respondent : Mr.T.S.Mohammed Mohideen
Additional Government Pleader

ORDER

This writ petition has been filed, seeking a direction to the respondent to issue a legal heir certificate to the petitioner on the basis of his representation dated 31.07.2017.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent. By consent, the writ petition itself is taken up for final disposal at the stage of admission.

3.The case of the petitioner is that his father had purchased several properties in Madurai and Virudhunagar Districts and after his demise, the petitioner, being his legal heir and other heirs have decided to make partition in the family properties and filed partition deed before the Sub Registrar. In the said process, the Sub Registrar, directed the petitioner to produce legal heir certificate. Hence, he submitted a representation dated 31.07.2017 to the respondent, seeking issuance of legal heir certificate. As no action has been taken so far by the respondent, the petitioner is before this Court with the above mentioned prayer.



4. The learned Additional Government Pleader appearing for the respondent submitted that if reasonable time is granted to the respondent, the representation of the petitioner will be considered and appropriate orders will be passed.

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5. In view of the submission so made, this Court, without going into the merits of the case, directs the respondent to consider the representation of the petitioner dated 31.07.2017 in the light of the circular issued by the Principal Secretary dated 09.08.2017 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner.

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

Sd/-

Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To

The Tahsildar,
Kariyapatti Taluk,
Virudhunagar District.

+One cc to Mr.J.Jeyakumaran, Advocate, SR.No.92447

+One cc to The Special Government Pleader, SR.No.92716

mj

RL/4C/2P/SKN/RSK/SAR4/26/12/2017

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