

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.02.2018

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.2134 of 2018

A.N.Balamurugan

... Petitioner

Versus

1.The Tahsildar-Sholingallur Taluk Office,  
No.3, First Street, Kumaran Nagar,  
Rajiv Gandhi Salai, Sholingallur, Chennai-600 119.

2.The Tasildar-Tambaram Taluk Office,  
GST Road, West Tambaram,  
Chennai-600 045.

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondent to take necessary steps to correct the petitioner's name as A.N.Balamurugan instead of A.N.Shiva which is wrongly mentioned in the Legalheirship Certificate issued vide Pa.Ma.No:5404/98 dated 22.05.1998.

For Petitioner : Mr.Veangai.I.Prakash Raj

For Respondents: D.Suriyanarayanan  
Additional Government Pleader

ORDER

Mr.D.Suriyanarayanan, learned Additional Government Pleader takes notice for the respondents.

2.The petitioner seeks for a mandamus directing the respondent to take necessary steps to correct the petitioner's name as A.N.Balamurugan instead of A.N.Shiva, which is wrongly mentioned in the Legal Heirship Certificate issued on 22.05.1998.

3.Heard both sides.

4.The petitioner's father by name S.Natarajan died on 26.02.1998, leaving behind the petitioner, his mother, three sisters and 1 brother, totaling 6 as his legal heirs. A legal heirship Certificate was issued by the competent Tahsildar on

22.05.1998, however by referring the petitioner's name as A.N.Shiva, while the petitioner was named as A.N.Balamurugan @ A.N.Shiva. Therefore, the petitioner approached the respondents and requested for making the correction in the legal heirship Certificate. In support of the petitioner's contention, an affidavit dated 06.09.2017 was filed by the other legal heirs including the petitioner's mother stating that the petitioner is named as A.N.Balamurugan @ A.N.Shiva and both mean one and the same person. Therefore, they also made a request to the respondents to correct the legal heirship certificate by referring the petitioner as A.N.Shiva @ A.N.Balamurugan . The petitioner has also produced I.D. Cards issued by the Government apart from the School Certificates and Community Certificate to indicate that his name was referred to as A.N.Balamurugan in all those certificates. However, as the respondents have not considered the petitioner's request for correcting his name in the legal heirship certificate, the present writ petition is filed.

5. Considering the above stated facts and circumstances, more particularly, the affidavit filed by the other legal heirs and also the representation filed by the petitioner dated 15.01.2018, this Court is of the view that the respondents shall have to consider the request of the petitioner and pass appropriate orders, after verifying all the relevant documents filed by the petitioner including the affidavit filed by the other legal heirs. Accordingly, the writ petition is disposed of, by directing the respondents to consider the representation of the petitioner dated 15.01.2018 and pass appropriate orders, after verifying all the relevant documents filed by the petitioner including the affidavit filed by the other legal heirs within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-  
Deputy Registrar

/true copy/

Sub Asst. Registrar

vri

To

- 1.The Tahsildar-Sholingallur Taluk Office,  
No.3, First Street, Kumaran Nagar,  
Rajiv Gandhi Salai, Sholingallur, Chennai-600 119.

2.The Tasildar-Tambaram Taluk Office,  
GST Road, West Tambaram,  
Chennai-600 045.

+ 2 cc to Mr.Veangai.I.Prakash Raj Advocate,SR.7387  
+ 1 cc to The Govt.Pleader, SR.7997

W.P.No.2134 of 2018

nr 16/02/2018



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