

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 18.09.2018

CORAM
THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.22700 of 2018 and
W.M.P.No.26537 of 2018

A.Charles

... Petitioner

Vs

1.State of Tamil Nadu,
Rep by the District Collector,
Kanchipuram District,
Kanchipuram. 631 501.

2.The Tahsildar,
Alandur Taluk,
No.12, 1st Main Road,
Nanganallur Co.op., Building Society,
Nanganallur,
Chennai 600 061.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the second respondent pertaining to his order which is made in Oo.Mu.No.1633/2015/A6 dated 30.03.2015 and quash the same and consequently, directing the 1st respondent to make enquiry and to issue legal heir certificate to the petitioner.

For Petitioner : Mr.E.Vinoth Kumar

For Respondents : Mr.J.Ramesh,
Additional Government Pleader

O R D E R
सत्यमेव जयते

The petitioner has come up with this writ petition to call for the records of the second respondent pertaining to his order in Oo.Mu.No.1633/2015/A6 dated 30.03.2015 and quash the same and consequently, direct the 1st respondent to issue legal heir certificate to the petitioner.

2. According to the learned counsel for the petitioner, the petitioner applied for Legal Heir Certificate after the demise of his father and mother. All the required certificates had already been furnished by the petitioner to the respondents, but, without considering the same, his application came to be rejected by the respondents by the impugned order dated 30.03.2015 and hence, the petitioner is before this Court. The

learned counsel also submitted that rejecting the application of the petitioner without any enquiry, is improper and against the law.

3. On the other hand, Mr.J.Ramesh, learned Additional Government Pleader appearing for the respondents submitted that the first respondent would re-consider the issue, if the petitioner produce all the required documents for consideration.

4. The above submission of the learned Additional Government Pleader is recorded and the impugned order dated 30.03.2015, is hereby set aside and the matter is remanded back to the authority for fresh consideration. The petitioner is directed to produce all the required documents to the first respondent within a period of two weeks from the date of receipt of a copy of this order. On such filing, the same be considered and appropriate orders be passed by the first respondent, on merits after affording an opportunity of hearing to the petitioner as well as any of the interested parties. Such an exercise shall be completed within a period of four weeks thereafter.

5. Accordingly, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

gsk

To

1.The District Collector,
Kanchipuram District,
Kanchipuram. 631 501.

2.The Tahsildar,
Alandur Taluk,
No.12, 1st Main Road,
Nanganallur Co.op., Building Society,
Nanganallur, Chennai 600 061.

+1cc to the Government Pleader, S.R.No.65030.

+1cc to Mr.E.Vinothkumar,S.R.No.64906.(02/11/2018)

W.P.No.22700 of 2018

rrs 22/10/2018