

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2018

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WP.No.30769 of 2013
M.P.No.1 of 2013

J.Yogeswari

...Petitioner

Vs.

1. The District Collector,
Thiruvallur.
2. The Tahsildar,
Ponneri, Thiruvallur District.
3. The Revenue Inspector,
Minjur, Thiruvallur.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the 2nd and 3rd respondents herein to receive the petitioner's representation dated 30.09.2013 and pass appropriate orders within the time as stipulated by this Court in accordance with law.

For Petitioner : Mr.J.Nandagopal
For Respondents : Mr.B.Anand, G.A.

ORDER

The petitioner has filed this petition for issuance of a Writ of Mandamus to direct the 2nd and 3rd respondents herein to receive the petitioner's representation dated 30.09.2013 and pass appropriate orders.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents.

3. According to the petitioner, she approached the 2nd respondent on 29.05.2011 for issuance of legal heir certificate to her grand mother late Umayavalli. Since it was not issued,

she filed a writ petition in W.P.No.13203 of 2011 and as per the direction of this Court dated 08.06.2011, she re-submitted the application on the 2nd respondent. The 2nd respondent issued a legal certificate, wherein, the name of the petitioner's grand father late T.M.Munisamy and her father late M.Janathkumar have not been included. Hence, she gave an application on 30.09.213 to include their name.

4. The learned counsel for the petitioner submitted that the 2nd respondent received the application on 30.09.2013, returned to the petitioner to hand over the same to the 3rd respondent. But the 3rd respondent refused to accept the application. Hence, the present writ petition.

5. The learned Government Advocate appearing for the respondents submitted that the 3rd respondent conducted enquiry, and found out, the petitioner was not residing in the address given in the writ petition. If a fresh application is given to the 2nd respondent, the same would be considered in accordance with law.

6. In the light of the submissions of the learned counsels on either side, this Court directs, the petitioner to give a fresh application to the 2nd respondent. On such compliance, the 2nd respondent shall conduct an enquiry and pass appropriate orders on merits and in accordance with law, after providing an opportunity of hearing to the necessary parties.

7. With the above observation and direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd

ASSISTANT REGISTRAR (CO)

TRUE COPY

SUB ASSISTANT REGISTRAR

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To

1. The District Collector,
Thiruvallur.
2. The Tahsildar,
Ponneri, Thiruvallur District.
3. The Revenue Inspector,
Minjur, Thiruvallur.

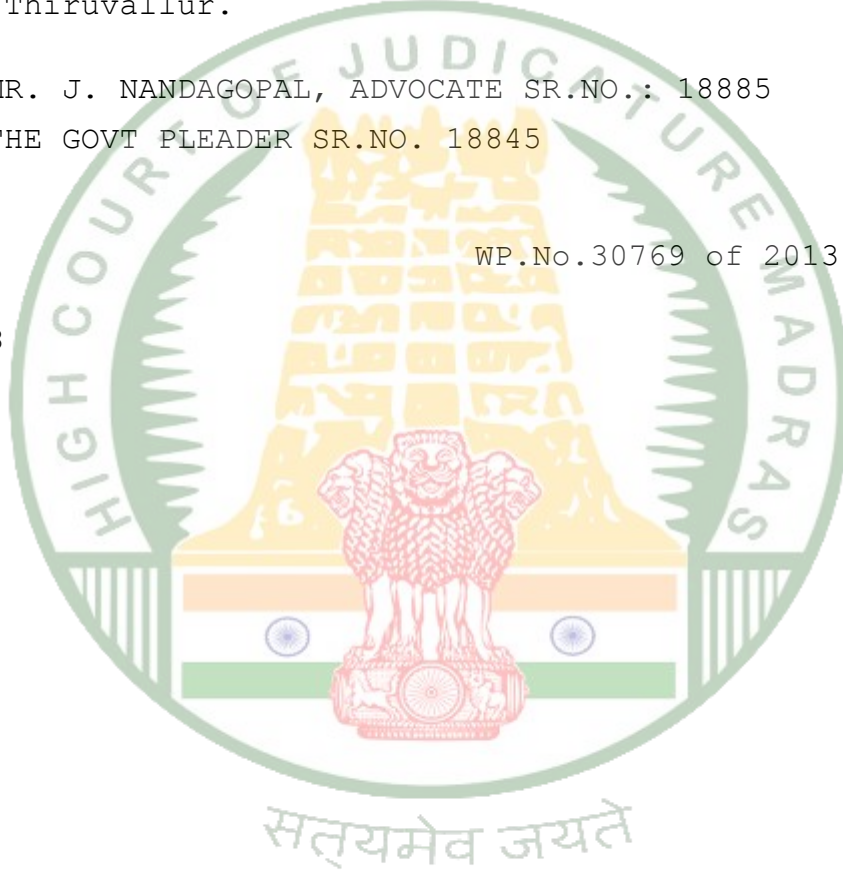
1CC TO MR. J. NANDAGOPAL, ADVOCATE SR.NO.: 18885

1CC TO THE GOVT PLEADER SR.NO. 18845

WP.No.30769 of 2013

DM

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