

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.16388 of 2018

N.Banu Shivakumar

... Petitioner

Vs.

The Tahsildar,
Mambalam Taluk, Chennai - 600 078. Respondent

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent to consider the representation given by the petitioner dated 23.04.2018 and correct "Selvan Venkateshwaran - Magal" to "Selvan Venkateshwaran - Magan" in the legal heir certificate vide Ref.No.Nee.Mu.E.1/3848/2017 dated 28.06.2017 issued by the respondent.

For Petitioner : Mr.R.Murali

For Respondent : Mr.I.Sathish,
Additional Government Pleader

O R D E R

The petitioner seeks a direction to the respondent to consider the representation given by the petitioner dated 23.04.2018 and correct "Selvan Venkateshwaran - Magal" to "Selvan Venkateshwaran - Magan" in the legal heir certificate vide Ref.No.Nee.Mu.E.1/3848/2017 dated 28.06.2017 issued by the respondent.

2.The petitioner has been issued with a legal heirship certificate on 28.06.2017 by the Tahsildar, Mambalam Taluk, wrongly mentioning her son Venkateshwaran, aged about 16 years as Female gender in the certificate. The petitioner has approached the respondent with a representation dated 23.04.2018 for correcting the gender from female to male. But the same has not yet been considered by the respondent.

3.When the name of petitioner's son is Venkateshwaran, it is not known as to how the respondent, the Tahsildar, Mambalam Taluk, has issued the legal heirship certificate showing

Venkateshwaran as the daughter of the deceased petitioner's husband, which shows total non-application of mind by the respondent.

4.The learned Additional Government Pleader taking notice for the respondent submitted that considering the petitioner's representation, correction will be carried out and a fresh legal heirship certificate will be issued to the petitioner within a week's time.

5.In view of the above submission, the respondent, the Tahsildar, Mambalam Taluk, is hereby directed to correct the mistake committed by him and issue a fresh legal heirship certificate to the petitioner within one week from the date of receipt of a copy of this order and the respondent, the Tahsildar, Mambalam Taluk is also directed to pay a cost of Rs.10,000/- (Rupees ten thousand only) to the petitioner within one week's time towards the cost of litigation for wrongly mentioning the name.

6.With the above directions, the Writ Petition is allowed with costs.

7.Post on 16.07.2018 for reporting compliance.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

va
To

The Tahsildar,
Mambalam Taluk,
Chennai - 600 078.

Copy to
The Section Officer,
Writ Section,
High Court, Madras.(Post on 16.07.2018 for Reporting Compliance)

+1cc to the Government Pleader Sr.43224

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