



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.14328 of of 2018

S.Palaniappan

... Petitioner

vs.

The Tahsildar,
Thirumayam Taluk,
Pudukkottai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to issue Class I Legal heir certificate of petitioner's adopted parents namely Ganesan @ Subramanian and Vallikannu based on his application dated 26.06.2018 and in light of the order passed by this Court in W.P.(MD)No.7593 of 2018 dated 23.04.2018.

For Petitioner : Mr.R.M.Arun Swaminathan

For Respondent : Mr.J.Gunaseelan Muthiah,
Additional Government Pleader

O R D E R

Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader takes notice for the respondent.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioner that his representation dated 26.06.2018, directing the respondent to issue Class I Legal heir certificate of petitioner's adopted parents namely Ganesan @ Subramanian and Vallikannu, has not been considered by the respondent till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the respondent to consider the petitioner's representation dated 26.06.2018 on its own merits



and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner and any other persons who may be interested in the subject matter.

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

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS-IV)

To

The Tahsildar,
Thirumayam Taluk,
Pudukkottai District.

+1cc to M/S.R.M.Arun Swaminathan, Advocate SR.No. 72928

W.P.(MD) No.14328 of of 2018

13.07.2018

das/akv
JM/SKN RSK/SAR 4/27.07.2018/2P/3C