

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 10.07.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P. (MD) No.14782 of 2018**

Paulsamy

... Petitioner

vs.

1. The Collector
Virudhunagar District
Virudhunagar

2. The District Revenue Officer
Collectorate Campus
Virudhunagar District

3. The Tahsildhar
Srivilliputhur Taluk
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to issue the legal heir ship certificate in favour of the petitioner on behalf of the petitioner's own sister namely Karuppayee Ammal who was died on 17.07.2011 and also consider the petitioner's representation dated 27.04.2018.

For Petitioner : Mr.A.Mu. Sharavanan

For Respondents : Mr.S.Nagarajan
Special Government Pleader

O R D E R

Mr.S.Nagarajan learned Special Government Pleader takes notice for the respondents.

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 27.04.2018 seeking to issue the legal heir ship certificate in favour of the petitioner on behalf of the petitioner's own sister namely Karuppayee Ammal who was died on



17.07.2011 has not been considered by the third 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 third respondent to consider the petitioner's representation dated 27.04.2018 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 as well as to the respondents and any other persons who may be interested in the subject matter.

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

Sd/-

Assistant Registrar(Crl side)

/True Copy/

Sub Assistant Registrar(CS-I)

To:

1. The Collector,
Virudhunagar District, Virudhunagar.
2. The District Revenue Officer,
Collectorate Campus,
Virudhunagar District.
3. The Tahsildhar,
Srivilliputhur Taluk,
Virudhunagar District.

+ 1 cc TO Mr.A.Mu.Saravannan , Advocate in SR No. 72383

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AE/SV/SAR1/24.07.2018/2P/5C