

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.3303 of 2019

P.Rani

...Petitioner

Vs.

1. The District Collector,
Thiruvarur,
Thiruvarur District.
2. The Revenue Divisional Officer,
Thiruvarur Revenue Division,
Thiruvarur,
Thiruvarur District.
3. The Thashildhar,
Kudavasal Taluk,
Kudavasal,
Thiruvarur District.
4. The Village Administrative Officer,
Saraguneswarapuram Village,
Kudavasal Taluk,
Thiruvarur District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents 1 to 3 herein to consider the petitioner's representation dated 09.01.2019 and on that basis to issue Legal Heirship Certificate certifying that K.Rajaraman, K.Seetharaman, T.Lalitha and P.Rani are the legal heirs of deceased Mr.R.Kaliyaperumal.

For Petitioner : Mr.M.Ganesh

For Respondents : Mr.E.Balamurugan
Special Government Pleader

O R D E R

Mr.E.Balamurugan, learned Special Government Pleader takes notice for the respondents. By consent of the parties, the main

writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus, directing the respondents 1 to 3 to consider her representation dated 09.01.2019, wherein and whereby, she sought for issuance of legal heirship certificate, pursuant to the death of her father by name R.Kaliyaperumal.

3. The grievance of the petitioner before this Court is that the said request of the petitioner was erroneously rejected by the fourth respondent, who is not competent to do so, whereas, it is only the third respondent to consider and decide.

4. Perusal of the proceedings dated 08.01.2019 would show that the petitioner's application was rejected by the Village Administrative Officer viz., fourth respondent and not by the third respondent. Therefore, this Court is of the view that it is for the third respondent to consider the said application and pass appropriate orders on merits and in accordance with law.

5. Thus, this writ petition is disposed of, by directing the third respondent to consider the petitioner's application seeking for legal heirship certificate and pass orders on the same on merits and in accordance with law, after conducting due enquiry. Such exercise shall be done by the third respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs.

sni/mk

Sd/-

Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

To

1. The District Collector,
Thiruvapur, Thiruvapur District.
2. The Revenue Divisional Officer,
Thiruvapur Revenue Division,
Thiruvapur, Thiruvapur District.
3. The Thashildhar,
Kudavasal Taluk,
Kudavasal, Thiruvapur District.

4. The Village Administrative Officer,
Saraguneswarapuram Village,
Kudavasal Taluk, Thiruvarur District.

+1cc to Mr.M.Ganesh, Advocate, S.R.No.9508

+2cc to the Government Pleader, S.R.No.10236 & 10217

W.P.No.3303 of 2019

SJ(CO)
KAK(01/03/2019)



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