

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.9429 of 2018

Prema @ Premakumari

...Petitioner

Vs.

1. The Tahsildar,
Chengalpattu Taluk Office,
Chengalpattu,
Kancheepuram District.
 2. The Revenue Inspector,
Chengalpattu Taluk Office,
Chengalpattu,
Kancheepuram District.
 3. The Village Administrative Officer (VAO),
Chengalpattu Taluk Office,
Chengalpattu,
Kancheepuram District.
- ...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondent Nos.1 to 3 to consider the representation dated 07.07.2014, 10.02.2015, 21.12.2016 submitted by the petitioners for issuance of Legal Heir Certificate to the petitioner and her wards for the death of the petitioner's husband namely P.Baskar S/o. M.Paulraj, who died on 04.04.2014 and death was duly registered vide Registration No.96/2014/02 dated 21.04.2014 on the file of Chengalpattu Municipality.

For Petitioner : Mr.Prakash Adiapadam

For Respondents : Mr.S.N.Parthasarathy
Government Advocate

O R D E R

The petitioner seeks for a Mandamus, directing the respondents 1 to 3 to consider her representation dated 07.07.2014, 10.02.2015, 21.12.2016, wherein and whereby she sought for issuance of legal heirship certificate.

2. It is stated that the petitioner's husband had also affair with one latha, who gave birth to two male children Prabakaran and Prasanth, born in the year 2000 and 2002 respectively. In the year 2005, the said Latha was deserted leaving her children with the petitioner and her husband. As of now, whereabouts of the said Latha was unknown to them. It is stated that the petitioner's husband namely, P.Baskar died on 04.04.2014 leaving behind the petitioner and her daughter and the above said children of Latha. It is further stated that the father of the petitioner's husband P.Baskar, predeceased him and his mother also died on 08.06.2014. Thereafter, the petitioner submitted applications on 07.07.2014, 10.02.2015 and 21.12.2016 with necessary documents seeking for issuance of legal heirship certificate, which is pending before the respondents. It is also stated that after receipt of the third application, the second respondent had also caused public Notice inviting objections . The grievance of the petitioner before this Court is that the said representation of the petitioner has not been considered by the respondents so far.

3. Heard both sides.

4. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the respondents 1 to 3 to consider the representation of the petitioner and decide the same on merits and in accordance with law. Accordingly, this writ petition is disposed of, only by directing the respondents 1 to 3 to consider the representation of the petitioner dated 07.07.2014, 10.02.2015, 21.12.2016 and pass orders on the same on merits and in accordance with law, after hearing the petitioner and other rival claimants, if any. Such exercise shall be done by the respondents 1 to 3 within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

सत्यमेव जयते
Assistant Registrar

//True copy//

Sub Assistant Registrar

sni/vri

To

1. The Tahsildar,
Chengalpattu Taluk Office,
Chengalpattu,
Kancheepuram District.

2. The Revenue Inspector,
Chengalpattu Taluk Office,
Chengalpattu,
Kancheepuram District.

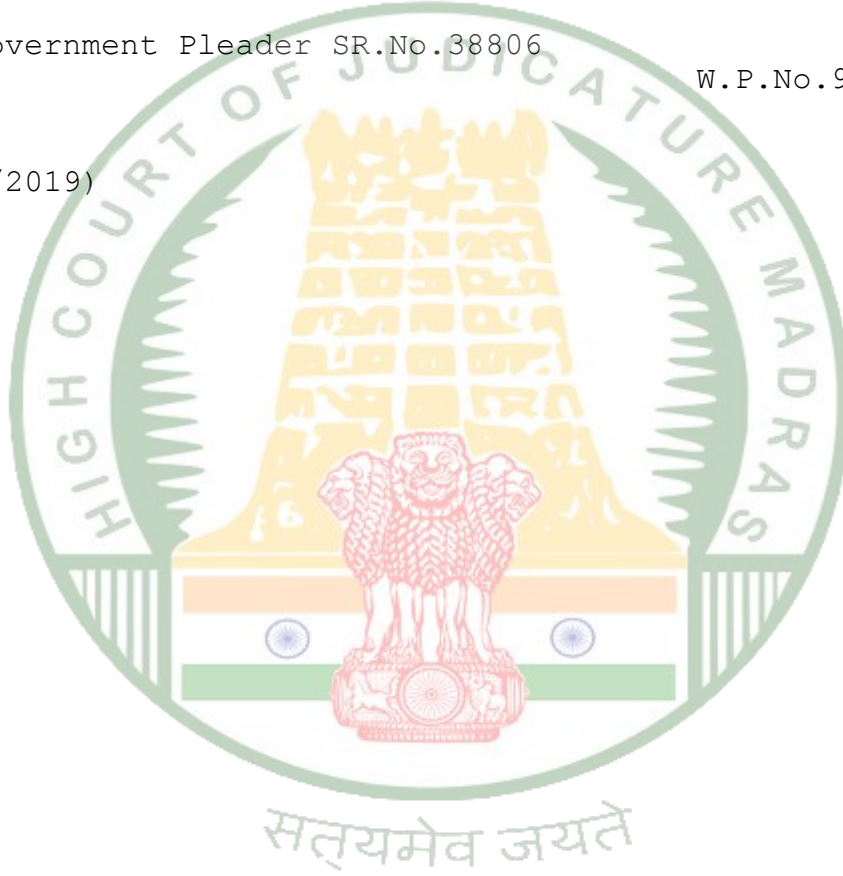
3. The Village Administrative Officer (VAO),
Chengalpattu Taluk Office,
Chengalpattu,
Kancheepuram District.

+1cc to Mr.Prakash Adiapadam, Advocate SR.No.39321

+1cc to Government Pleader SR.No.38806

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LN(CO)
GMY(20/05/2019)



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