

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 17.07.2019****CORAM****THE HON'BLE MR.JUSTICE R.SURESH KUMAR****W.P. (MD) No.15853 of 2019**

R.Sureshkanna

... Petitione

-Vs-

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Revenue Divisional Officer/
Sub Collector,
Paramakudi,
Ramanathapuram District.

3.The Tahsildar,
Paramakudi Taluk,
Ramanathapuram District.

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, to direct the 2nd respondent to pass final order on the representation of the petitioner dated 27.10.2018 in pursuance of enquiry concluded by him by including name of the petitioner's mother and other legal heirs in the legal heirs certificate issued by the 3rd respondent dated 16.12.2010.

For Petitioner : Mr.D.Sasikumar
For Respondents : Mr.V.Anand, G.A.

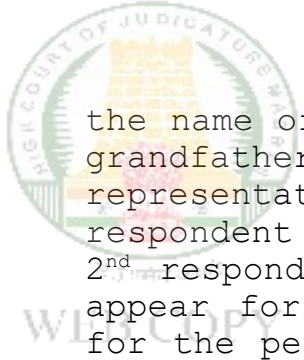
ORDER

The prayer in this writ petition is for a Writ of Mandamus, to direct the 2nd respondent to pass final order on the representation of the petitioner dated 27.10.2018 in pursuance of enquiry concluded by him by including the name of the petitioner's mother and other legal heirs in the legal heirs certificate issued by the 3rd respondent dated 16.12.2010.

2.Heard Mr.D.Sasikumar, learned counsel appearing for the petitioner and Mr.V.Anand, learned Government Advocate appearing for the respondents.

3.With the consent of both sides, this writ petition is disposed of at the admission stage itself.

4.Aggrrieved over the legal heir certificate obtained by one Kannuchamy, who is the maternal uncle of the petitioner, the petitioner, had given a representation dated 27.10.2018 to the respondents 1 and 2 to conduct an enquiry and issue proper legal heir certificate, which according to the petitioner, should include



the name of the petitioner as one of the legal heir of the maternal grandfather of the petitioner, who is no more. Pursuant to the said representation dated 27.10.2018, the 1st respondent directed the 2nd respondent to conduct an enquiry and pass orders. Accordingly, the 2nd respondent issued notice on 08.11.2018 to both the parties to appear for enquiry and according to the learned counsel appearing for the petitioner, enquiry was completed by the 2nd respondent and only final order has to be passed. Since the same is yet to be passed, the petitioner is before this Court.

5.I have heard the learned Government Advocate appearing for the respondents, who would submit that, if the enquiry is already completed, final order would be passed by the 2nd respondent immediately and if still some more enquiry has to be conducted, the same will be conducted at the earliest and accordingly, orders will be passed, within a time frame.

6.Having regard to the submissions made by both sides, this Court is inclined to dispose of this writ petition with the following direction:

"The 2nd respondent is hereby directed to decide the said representation of the petitioner dated 27.10.2018 by completing the enquiry, where, both the petitioner as well as his maternal uncle viz., Kannuchamy should be heard and after completing the enquiry, necessary orders thereon, shall be passed by the 2nd respondent, within a period of six weeks from the date of receipt of a copy of this order.

7.With this direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Collector,Ramanathapuram District, Ramanathapuram.

2.The Revenue Divisional Officer/

Sub Collector, Paramakudi, Ramanathapuram District.

3.The Tahsildar, Paramakudi Taluk, Ramanathapuram District.

+1 CC to Mr.D.SASIKUMAR, Advocate SR-75842.

+1 CC to SPL GP SR-75990.

**Order made in
W.P. (MD) No.15853 of 2019**

Dated:

17.07.2019