



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.08.2019**

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD)No.18142 of 2019

WEB COPY

D.Bharathiraja

...Petitioner

-Vs-

1.The Tahsildar,
Office of the Tahsildar,
Devakottai Taluk,
Sivagangai District.

2.The Village Administrative Officer,
Office of the Village Administrative Officer,
Kappallor Village,
Sivagangai District.

...Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents to issue legal heir ship certificate for the death of the petitioner's father by name Durai son of Kaurppaiya by considering his representation dated 27.07.2019 within the time stipulated by this Court.

For Petitioner : Mr.I.Sabeer Mohamed

For Respondents : Mr.C.M.Mari Chelliah Prabhu, AGP

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the respondents to issue legal heir ship certificate for the death of the petitioner's father by name Durai son of Kaurppaiya by considering his representation dated 27.07.2019 within the time stipulated by this Court.

2.Heard Mr.I.Sabeer Mohamed learned counsel appearing for the petitioner and Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader appearing for the respondents.

3.In order to get legal heirship certificate to the late father of the petitioner viz., Durai, who died on 21.09.2017, the petitioner already given application to get legal heirship certificate, to the respondents, especially, the 2nd respondent and in this regard, the petitioner, on 27.07.2019 has given a detailed representation to the respondents. Therefore, the learned counsel appearing for the petitioner would submit that, if the said representation is decided by the 1st respondent on merits and in accordance with law, within a time frame and an order to that effect



is passed thereon, the petitioner would be satisfied.

4.I have heard the learned Additional Government Pleader appearing for the respondents, who would submit that, the said representation of the petitioner dated 27.07.2019 would be decided by the 1st respondent on merits and in accordance with law, within a time frame.

5.Considering the limited scope of the prayer sought for in the writ petition, this Court is inclined to dispose of this writ petition, with the consent of both the parties, at the stage of admission itself, with the following direction:

"The 1st respondent is hereby directed to consider the representation of the petitioner dated 27.07.2019 in the light of the earlier application submitted in this regard with regard to his grievance of getting legal heirship certificate and pass orders thereon, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order."

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

Arul

To

1.The Tahsildar,
Office of the Tahsildar,
Devakottai Taluk, Sivagangai District.

2.The Village Administrative Officer,
Office of the Village Administrative Officer,
Kappallor Village,
Sivagangai District.

+1CC to M/s.I.SABEER MOHAMED, Advocate(SR-82742[F] dated 21/08/2019)

+1 CC to M/s.SPL GP (SR-83220[F] dated 22/08/2019) Order made in

W.P. (MD) No.18142 of 2019

Dated: **21.08.2019**

SMA/17/12/19/2P/5C