

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.01.2020

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.785 of 2020

S.Sivagami

... Petitioner

..Vs..

1. The District Collector,
Tirupattur District.
2. The Revenue Divisional Officer,
Tirupattur, Tirupattur District.
3. The Tahsildar,
Tirupattur Taluk,
Tirupattur District.
4. Thiru.R.Ananthakrishnan,
Tahsildar,
Tirupattur District.
5. Chinnakanniammal
6. Mayakrishnan
7. Kanakaraj
8. Anbazhagan

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to consider the appeal dated 09.12.2019 made by the petitioner against the illegal order passed by the 3rd respondent for cancelling the valid legal heir certificate issued to the petitioner and pass appropriate orders within stipulated time period as may be fixed by this Court.

For Petitioner : Mr.T.Sundaravadanam

For Respondents : Mr.P.Rajalakshmi
Special Government Pleader

O R D E R

Owing to the communication issued to the 3rd respondent viz., the Tahsildar, Tirupattur Taluk, Tirupattur District, the present writ petition has been filed.

2. The 2nd respondent viz., the Revenue Divisional Officer, Tirupattur, Tirupattur District had addressed the communication dated 04.12.2019 to the Tahsildar seeking a report with respect to the legal heirship certificate already issued.

3. In the affidavit filed by the petitioner, it had been stated that she, S.Sivagami is a granddaughter of G.Govindan, who worked in Southern Railway as Boiler Man and died on 21.10.1998. His daughters namely, the mother of the petitioner Govindammal died on 26.05.1996 and the 2nd daughter viz., Neela died on 24.08.1976. Consequently, the petitioner S.Sivagami and other granddaughters namely Malliga, Saraswathi and Shanthi claim to be the only legal heirs of the deceased G.Govindan. However, there is a rival claim from other individuals who claim to be the children / legal heirs of the 2nd wife of G.Govindan.

4. In this connection, the Tahsildar has passed an order with respect to grant of Legal Heirship Certificate. An appeal has been consequently filed by the petitioner before the 2nd respondent/Revenue Divisional Officer, Tirupattur.

5. The grievance of the petitioner is that the 2nd respondent who had called for a report from the 3rd respondent, had adjourned the matter without giving any hearing date.

6. A direction is therefore issued to 3rd respondent to comply with the direction of the 2nd respondent on or before 31.01.2020 and thereafter on the basis of the report and on the basis of any further enquiry as is required, the 2nd respondent viz. the Revenue Divisional Officer, Tirupattur District is directed to pass final orders on or before 29.02.2020.

7. With the above observations, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Tirupattur District.
2. The Revenue Divisional Officer,
Tirupattur, Tirupattur District.
3. The Tahsildar,
Tirupattur Taluk,
Tirupattur District.

+1cc to the Government Pleader Sr.3917
+1cc to Mr.T.Sundara Vadanam, Advocate Sr.3424

W.P.No.785 of 2020

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srg 30/01/2020



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