

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2020

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.4284 of 2020

E.Nisha Shree

... Petitioner

vs

1.The Principal Secretary to Government of Tamil Nadu,
Revenue and Administrative Department,
Secretariat,
Chennai-9.

2.The District Collector,
Office of the District Collector,
Chennai.

3.The Tahsildar,
Thiruvatriyoor Taluk,
Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of mandamus to direct the respondents to issue the Legal Heirship Certificate for the deceased petitioner's father namely Esakkirajan who is died on 09.05.2019 by considering the petitioner's representation dated 25.01.2020 within a time to be framed by this Court.

For Petitioner : Mr.S.Loganathan

For Respondents : Mr.PV.Selvakumar

Additional Government Pleader

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O R D E R

The petitioner seeks for a Mandamus to direct the respondents to issue the Legal Heirship Certificate for the deceased petitioner's father namely Esakkirajan who died on 09.05.2019 by considering his representation dated 25.01.2020 within a time to be framed by this Court.

2. Heard both sides.

3. It is seen that the petitioner's father and mother got divorced and they lived separately. The petitioner and his paternal grandmother, as legal heirs of his deceased father Esakkirajan, applied for issuance of legal heirship certificate through online on 09.09.2019. Since there is no option in the online application to add his paternal grandmother's name, he made a representation dated 25.01.2020, seeking to rectify the defects in the online application procedure or to provide him an alternative remedy to get the legal heirship certificate. The grievance of the petitioner is that the said representation has not been considered by the respondents so far.

4. This Court, at this stage, without expressing any view on the merits of the claim made by the petitioner, dispose of the writ petition, only by directing the respondents to consider the representation of the petitioner dated 25.01.2020 and after hearing all the necessary parties, pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vri

To

- 1.The Principal Secretary to Government of Tamil Nadu,
Revenue and Administrative Department,
Secretariat,
Chennai-9.
- 2.The District Collector,
Office of the District Collector,
Chennai.
- 3.The Tahsildar,
Thiruvatriyoor Taluk,
Chennai.

+1 CC to Mr.S.Loganathan, Advocate, sr 22359
+1 CC to Government Pleader, sr 23216

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KS (CO)
AT (22/05/2020)