

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.01.2020

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.21038 of 2019

V.Anjalatchi

.. Petitioner

..Vs..

1.The Tahsidar,
Walajabad Taluk Office,
Walajabad,
Kancheepuram District - 631605.

2.The Revenue Inspector,
Thenneri Firka,
Walajabad Taluk,
Kancheepuram District.

.. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to issue legal heir certificate for the Petitioner's father Mr.Mannar and mother Mrs.Chinnammal by conducting enquiry on the online application dated 09.01.2019 and 10.01.2019 having application number TN-720190109761 and TN-7201901101395 respectively.

For Petitioner : Mr.E.P.Senniyangiri

For Respondents : Mr.R.Govindasamy,
Special Government Pleader

ORDER

The Writ Petition has been filed in the nature of Writ of Mandamus, directing the 1st respondent to issue legal heir certificate to the Petitioner by conducting an enquiry on the online application dated 09.01.2019 and 10.01.2019 having application number TN-720190109761 and TN-7201901101395 respectively.

2. The petitioner, V.Anjalatchi W/o.Varadharajan resident of Ponnerikarai, Konerikarai Village, Kancheepuram Taluk, Kancheepuram District, had stated that her father Mannar

originally lived in Alavur Village, Walajabad Taluk, Kancheepuram District and died on 25.01.1980. He was survived by his wife Chinnammal and 8 children namely, Palaniyappan, Suguna, Devarajan, Deivasigamani, Anjalatchi, Sagunthala, Pushpa, Natarajan. The death of the father was registered on 01.02.1980. Thereafter the mother of the petitioner also died on 16.07.1988. This was also registered and death certificate was issued. However, none of the legal heirs had applied for legal heirs certificate. The petitioner's sister Suguna died on 30.05.1981 and her brothers Natarajan and Palaniyappan died on 09.06.1996 and 14.03.2009 respectively. Another sister Pushpa died on 03.03.2010. Further another sister Sakunthala was said to have been missing from 26.03.2000. In this regard, an additional typed set of papers have been filed, wherein, the Revenue Inspector of Thenneri Firka, Walajabad Taluk, reported about the enquiry in that regard and it has been filed as document.

3. It is under these circumstances, that the petitioner seeks legal heirship certificate. The matter was originally adjourned owing to the fact that the whereabouts of Sakunthala and details about her were not mentioned in the affidavit. However, now additional typed set of papers have been filed relating to that.

4. In view of these facts, as pointed out by Mr.R. Govindasamy, learned Special Government Pleader, an obligation is placed on the 1st respondent namely, the Tahsildar, Walajabad Taluk Office, Walajabad, Kancheepuram District, to conduct an enquiry by issuing notice to the petitioner and examining the documents and also the relevant papers which the petitioner should produce before the 1st respondent and thereafter pass an order on merits.

5. The 1st respondent is directed to enquiry into the entire issues and the petitioner may also submit all necessary documents before the 1st respondent. Thereafter, the 1st respondent may pass final orders on or before 31.03.2020.

6. With these observations, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS-VI)

//True copy//

Sub Assistant Registrar

smv

To,

1.The Tahsidar,
Walajabad Taluk Office,
Walajabad,
Kancheepuram District - 631605.

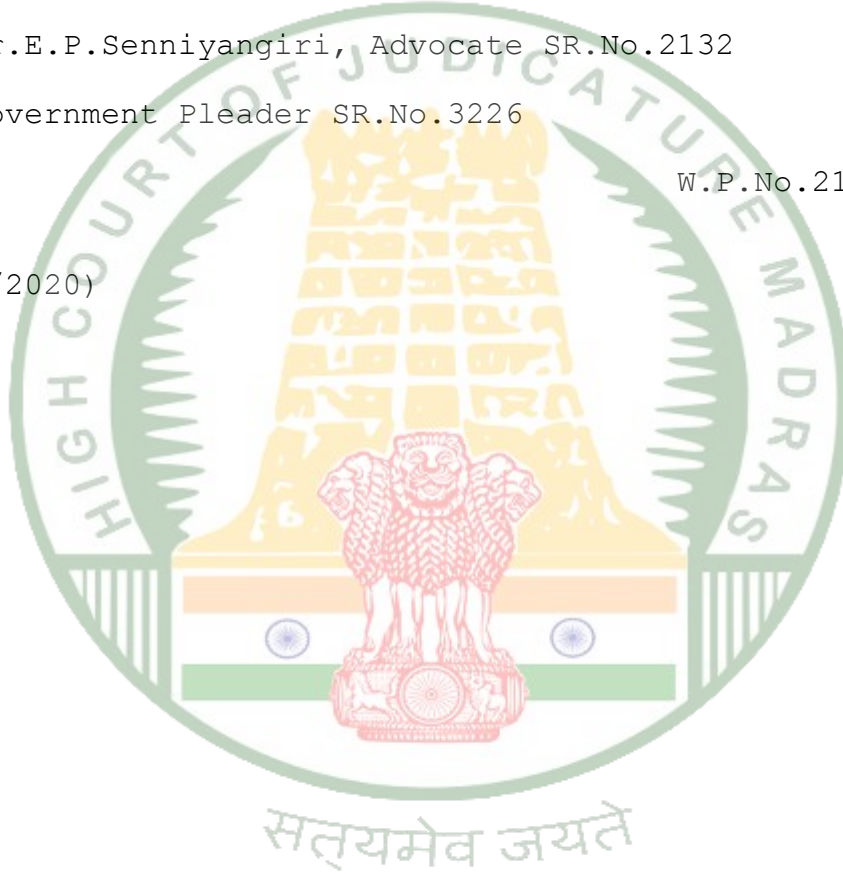
2.The Revenue Inspector,
Thenneri Firka,
Walajabad Taluk,
Kancheepuram District.

+2cc to Mr.E.P.Senniyangiri, Advocate SR.No.2132

+1cc to Government Pleader SR.No.3226

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SV(CO)
GMY(10/02/2020)



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