



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2020

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THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P(MD).No.14531 of 2020

V.Rajaraman

.. Petitioner

Vs.

The Tahsildar,
Taluk Office,
Meenakshipuram to B.B.Kulam Road,
Near Nila Mahal, Madurai North,
Madurai - 625 002.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the respondent to issue legal heir certificate for the petitioner's brother V.Swaminathan, who died on 09.03.2020 by considering the petitioner's representation dated 24.09.2020, within the period stipulated by this Court.

For Petitioner	:	Mr.S.Atham Ali
For Respondents	:	Mrs.VPM.Vaishnavi Government Advocate

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondent to issue legal heir certificate for the petitioner's brother V.Swaminathan, who died on 09.03.2020 by considering the petitioner's representation dated 24.09.2020, within the period stipulated by this Court.

2.Heard Mr.S.Atham Ali, learned counsel for the petitioner. Mrs.VPM.Vaishnavi, learned Government Advocate, accepts notice on behalf of the respondent.

3.By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4.It is the case of the petitioner that his brother V.Swaminathan died on 09.03.2020. According to him, his brother V.Swaminathan died as a Bachelor, on 09.03.2020, at the age of 83 years. According to the petitioner, he came to know that there is no option for applying legal heirship certificate for siblings, even though the deceased person was a Bachelor. Therefore, he gave a representation to the respondent requesting them to issue a legal heirship certificate. According to him, till date the said representation has not been considered by the respondent. It is



also the case of the petitioner that all the Class II legal heirs of the deceased have no objection for the issuance of legal heirship certificate for V.Swaminathan. In such circumstances, he has filed this writ petition.

5.The relief sought for in this writ petition is an innocuous relief. No prejudice will be caused to the respondent, if the relief sought for by the petitioner is granted by this Court. The petitioner claims that he along with his siblings are the only legal heirs of the deceased V.Swaminathan, who died as Bachelor at the age of 83 years. The petitioner has given a representation on 24.09.2020 seeking for issuance of legal heirship certificate for V.Swaminathan. Admittedly, the same has not been considered by the respondent, till date.

6.For the forgoing reasons, this Court directs the respondent to consider the petitioner's representation dated 24.09.2020, seeking for issuance of legal heirship certificate for V.Swaminathan, who died on 09.03.2020 and pass final orders on merits and in accordance with law, after hearing all the necessary parties, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The Tahsildar, Taluk Office, Meenakshipuram to B.B.Kulam Road, Near Nila Mahal, Madurai North, Madurai - 625 002.

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

**W.P(MD) .No.14531 of 2020
16.10.2020**

SSS(CO)

TR(02.11.2020) 2P 2C

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