

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2021

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.2041 of 2021

M.Sathya

... Petitioner

Vs

1.The District Collector,
Kallakurichi District.

2.The Tahsildar,
Ulundurpet Taluk,
Kallakurichi.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondents to dispose of the legal heir petition directly filed by the petitioner dated 27.11.2020 in application No.TN-7202011271272 and further directing the respondents to issue legal heir certificate to the petitioner in accordance with law.

For petitioner ..Mr.S.Ramajayam

For respondents..Mr.D.Suriya Narayanan,
Government Advocate

ORDER

Mr.S.Ramajayam, learned counsel for the petitioner and Mr.D.Suriya Narayanan, learned Government Advocate accepts notice for the respondents.

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

3. This writ petition has been filed for a Mandamus seeking for a direction to the respondents to dispose of the application filed by the petitioner on 27.11.2020 seeking for issuance of Legal Heirship certificate for her father Vaithyalingam, who died on 08.12.2004. The petitioner and her mother Saradha applied for Legal Heirship certificate with the respondents on 27.11.2020 through application No.TN-7202011271272. According to the petitioner, till date, the said application has not been

considered by the respondents. In such circumstances, this writ petition has been filed.

4. The relief sought for in this writ petition is an innocuous one. No prejudice will be caused, if the petitioner's application, dated 27.11.2020 seeking for issuance of Legal Heirship certificate for her father Vaithyalingam, who died on 08.12.2004 is considered on merits and in accordance with law. In the Typed set of papers filed by the petitioner before this Court, the death certificate of the petitioner's father Vaithyalingam has also been produced, which will disclose that the petitioner's father died on 08.12.2004.

5. For the foregoing reasons, this Court directs the second respondent to consider the petitioner's application, dated 27.11.2020 filed through application No.TN-7202011271272 seeking for issuance of Legal Heirship certificate for her deceased father Vaithyalingam, who died on 08.12.2004 and pass final orders on merits and in accordance with law, after hearing the petitioner and the other legal heirs of the deceased Vaithyalingam, including the mother of the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the aforesaid direction, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsi2

To

1.The District Collector,
Kallakurichi District.

2.The Tahsildar,
Ulundurpet Taluk,
Kallakurichi.

W.P. No.2041 of 2021

GP (CO)
RMP (26/02/2021)