

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2021

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THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.5793 of 2021

1.K.Pichaiammal
2.G.Pannerselvam
3.G.Murugesan

... Petitioners

Vs

1.The District Revenue Officer,
Thiruvallur.
2.The Tahsildar,
Avadi Taluk, Pattabiram,
Hindu College, Chennai - 600 072.
3.The Village Administrative Officer,
Thandurai Village, CTH Road,
Pattabiram,
Chennai - 600 072.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the second respondent to dispose my representation dated 05.03.2019 to issue legal heir certificate.

For petitioners ... Ms.S.Aparna

For Respondents ... Mr.V.Shanmuga sundar,
Special Government Pleader

ORDER

This Writ Petition has been filed for a mandamus seeking for a direction to the second respondent to consider and pass final orders on the petitioner's application seeking for issuance of legal heirship certificate for K.Gundu who died on 08.10.2014 within a time frame to be fixed by this Court.

2. Mr.V.Shanmuga sundar, learned Special Government Pleader accepts notice on behalf of the respondents. By consent of both the parties, this writ petition is taken up for final disposal at the time of admission itself.

3. The petitioners claim that the first petitioner is the daughter and the second and third petitioners are the sons of the deceased K.Gundu who died on 08.10.2014. It is their case that they applied for legal heirship certificate for their deceased father K.Gundu in the year 2014 itself. However, the same was not granted. Hence, they have given representations on 05.03.2019 and 03.04.2019 to the respondents requesting them to issue legal heirship certificate for their deceased father K.Gundu who died on 08.10.2014. Since the representations have not been considered, they approached this Court under Article 226 of the Constitution of India.

4. Heard Ms.S.Aparna, learned counsel for the petitioners and Mr.V.Shanmuga sundar, learned Special Government Pleader appearing for the respondents.

5. The relief sought for in this writ petition is an innocuous one. The petitioners claim that they are the legal heirs of the deceased K.Gundu who died on 08.10.2014. They have applied for legal heirship certificate for their deceased father. They have also given representations on 05.03.2019 and 03.04.2019 requesting the respondents to issue legal heirship certificate for their deceased father. Admittedly, the said representations have not been considered till date. No prejudice will be caused to the respondents, if the petitioners' representation seeking for issuance of legal heirship certificate for their deceased father K.Gundu is considered on merits and in accordance with law, after hearing all the necessary parties including the petitioners.

6. For the foregoing reasons, this Court directs the second respondent to consider the petitioners' application seeking for issuance of legal heirship certificate for their deceased father K.Gundu who died on 08.10.2014 and pass final orders on merits and in accordance with law after hearing all the necessary parties including the petitioners within a period of twelve weeks from the date of receipt of a copy of this Order.

7. With the aforesaid direction, the Writ Petition is disposed of . No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1.The District Revenue Officer,
Thiruvallur.

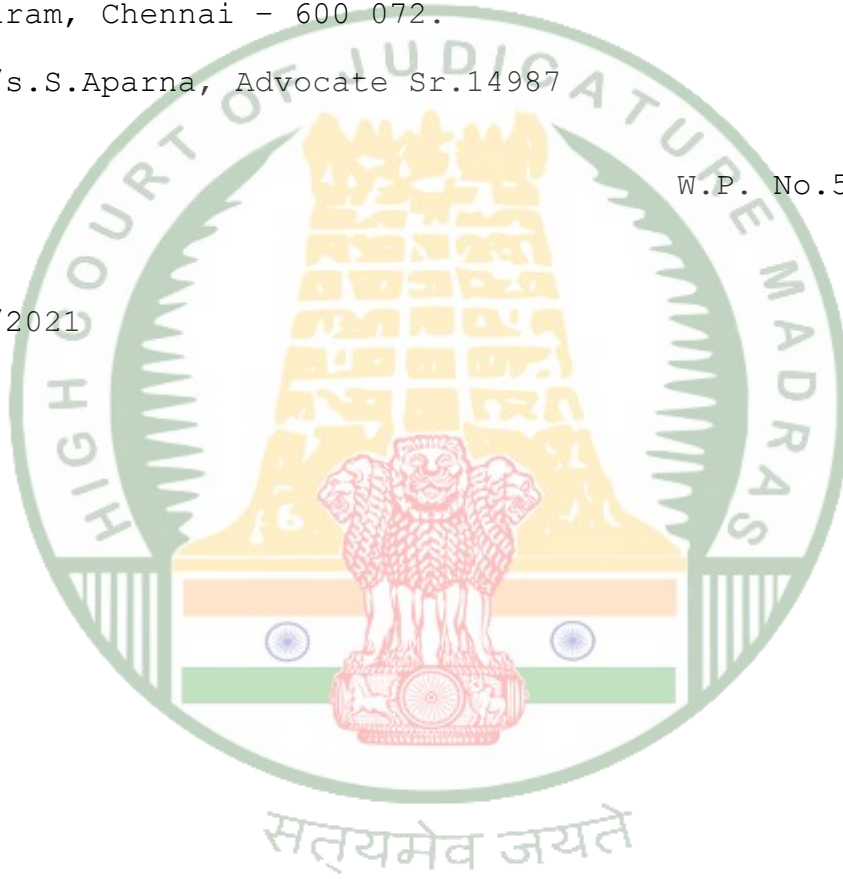
2.The Tahsildar,
Avadi Taluk, Pattabiram,
Hindu College, Chennai - 600 072.

3.The Village Administrative Officer,
Thandurai Village, CTH Road,
Pattabiram, Chennai - 600 072.

+1cc to M/s.S.Aparna, Advocate Sr.14987

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