

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2021

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.NO.6410 OF 2021

V.A.Shanmuga Subramanian

... Petitioner

Vs.

The Tahsildar,
Velachery Taluk Office,
Seva Nagar, 1st St, Soni Nagar,
Periyar Nagar Extension,
Velachery,
Chennai 600 042

... Respondent

Prayer:

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus, directing the respondent herein to consider the petitioner's representation dated 12.01.2021, issue legal heirship certificate to the petitioner on account of demise of the petitioner's grandfather viz., R.A.Subramanian on 11.02.2019.

For Petitioner : Ms.R.Anitha

For Respondent : Mr.V.Shanmugasundar
Special Government Pleader

ORDER

This Writ Petition has been filed for a mandamus seeking for a direction to the respondent to consider the petitioner's application seeking for issuance of legal heirship certificate for his grandfather, R.A.Subramanian, who died on 11.02.2019 within a time frame to be fixed by this Court.

2. It is the case of the petitioner that his mother V.A.Vijayalakshmi was the only child of her grandfather, R.A.Subramanian. It is the case of the petitioner that his grandfather died on 11.02.2019. According to the petitioner, his mother V.A.Vijayalakshmi predeceased his grandfather, R.A.Subramanian. According to the petitioner, he is the only surviving legal heir of the deceased R.A.Subramanian. He

applied for legal heirship certificate with the respondent for his deceased maternal grandfather R.A.Subramanian, who died on 11.02.2019. A representation was also sent on 12.01.2021 to the respondent by way of reminder. Since the application for the legal heirship certificate has not been considered till date, this Writ Petition has been filed.

3. Heard Ms.R.Anitha, learned counsel for the petitioner and Mr.V.Shanmugasundar, learned Special Government Pleader accepts notice on behalf of the respondent. By consent of both the parties, this writ petition is taken up for final disposal at the time of admission itself.

4. The relief sought for in this writ petition is an innocuous one. The petitioner claims that he is the only surviving legal heir of the deceased maternal grandfather R.A.Subramanian, who died on 11.02.2019. It is his case that R.A.Subramanian had only one child, who was the petitioner's mother. It is also the case of the petitioner that the petitioner's mother predeceased his maternal grandfather R.A.Subramanian. The petitioner has applied for legal heirship certificate for his deceased maternal grandfather with the respondent. Admittedly, the said application has not been considered till date.

5. No prejudice will be caused to the respondent, if the petitioner's application seeking for issuance of legal heirship certificate for his maternal grandfather, R.A.Subramanian, is considered on merits and in accordance with law, after hearing all the necessary parties, if any, including the petitioner.

6. For the foregoing reasons, this Court directs the respondent to consider the petitioner's application seeking for issuance of legal heirship certificate for his deceased maternal grandfather, R.A.Subramanian, who died on 11.02.2019 and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner as well as other necessary parties, if any, within a period of 12 weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

srn

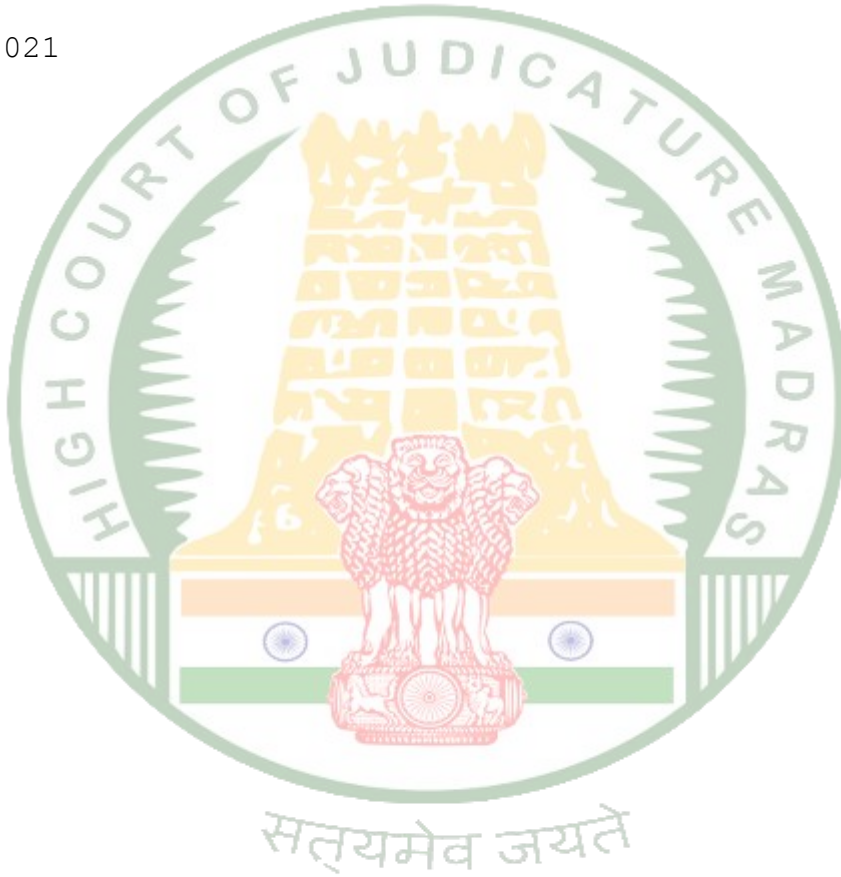
To

The Tahsildar,
Velachery Taluk Office,
Seva Nagar, 1st St, Soni Nagar,
Periyar Nagar Extension,
Velachery, Chennai 600 042

+1cc to Ms.R.Anitha, Advocate, S.R.No.16158

W.P.No.6410 of 2021

GPL(CO)
CS/30/03/2021



WEB COPY