



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.09.2021

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
and
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.A.No.1672 of 2021

1.Muthulakshmi
2.Sampath
3.A.Shanthi
4.Vennila
5.Karpagam
6.Venkatesan
7.Alamelu

... Appellants

vs

1.The Revenue Divisional Officer,
Sriperumbudur,
Kancheepuram District.

2.The Tahsildar,
Kundrathur Taluk,
Kundrathur.

3.S.Rani
4.V.Settu
5.A.Palaniammal
6.N.Balakrishnan
7.Kuppammal
8.Devaki
9.C.Padmanaban

... Respondents

Prayer: Writ Appeal filed under clause 15 of the Letters Patent praying to set aside the order dated 11.06.2021 made in W.P.No.12624 of 2021.

Prayer in W.P.No.12624 of 2021:

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus Directing the 1st respondent to dispose of the petitioners application dated 03/05/2021 to issue legal heirship certificate of Late Mumusamy including the names of the petitioners and the respondents 3 to 9.



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For Appellants : Mr.P.Krishnan
For Respondents 1 & 2 : Mr.D.Ravichander
State Government Counsel
For Respondents 3 to 9 : Mr.S.Prabhu

JUDGMENT

(delivered by PUSHPA SATHYANARAYANA, J.)

The Writ Appeal is preferred against the order dated 11.06.2021 made in W.P.No.12624 of 2021.

2. According to the appellants, their grandfather namely Late. Munusamy purchased properties through Registered Sale deeds dated 25.03.1946 and 11.08.1953. The Late. Munusamy has two sons and two daughters, namely, Veerabadran, Chinnadurai, Pushpa and Chinnaponnu, respectively. The appellants claim that they are the legal heirs of Late Pushpa and Late Chinnaponnu and the respondents 3 to 9 are the legal heirs of Late Veerabadran and Late Chinnadurai. During UDR Scheme, the joint patta was obtained in the names of Veerabadran and Chinnadurai, sons of Late Munusamy by suppressing the fact that the appellants' mothers are also the legal heirs of Late Munusamy. In this regard, the appellants have sent representation dated 03.05.2021 to the first respondent to issue legal heir certificate of Late Munusamy by including the names of the appellants and the respondent Nos.3 to 9. However, the said representation was not considered. Hence, the appellants have filed the above writ petition seeking to dispose of their representation dated 03.05.2021 and the same was dismissed on 11.06.2021 by this Court. Challenging the said order, the present Writ Appeal has been preferred by the appellants.

3. Heard both sides and perused the materials available on record.

4. After some arguments, the learned counsel for the appellants submitted that it would suffice, if a direction is given to the first respondent to consider the representation of the appellants, within a time frame to be stipulated by this Court.

5. Considering the limited relief now sought for by the learned counsel for the appellants, which has not been seriously opposed by the private respondents, this Court, without going



into the merits of the case, directs the first respondent to consider the representation of the appellants dated 03.05.2021 and pass appropriate orders on merits and in accordance with law, after issuing notice to the appellants as well as the respondent Nos.3 to 9 herein and also any other person interested in this regard and by affording them an opportunity of personal hearing or virtual hearing or otherwise, considering their written objections and after verifying the relevant documents, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above directions, the Writ Appeal is disposed of. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

rsi

To

1.The Revenue Divisional Officer,
Sriperumbudur,
Kancheepuram District.

2.The Tahsildar,
Kundrathur Taluk,
Kundrathur.

+1cc to the Government Pleader Sr No.48560

W.A.No.1672 of 2021

VSNI (CO)
PR (18/10/2021)