



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2021

CORAM

THE HONOURABLE MR.JUSTICE R. MAHADEVAN

W.P.No.14590 of 2021

T.Bindhu

.. Petitioner

Vs.

The Tahsildar,
Office of the Tahsildar,
Ganapathy,
Coimbatore North 641 012
Coimbatore.

.. Respondent

Prayer: Writ Petition filed under Section 226 of Constitution of India praying for issuance of Writ of Mandamus directing the respondent to issue legal heir certificate based upon the petitioner's application No.TN-7202010281861, dated 28.10.2020.

For Petitioner : Mr.Nagarajan

For Respondent : Mr.Stalin Abhimanyu, Govt. Advocate

O R D E R

The petitioner has come up with this writ petition seeking for a direction to the respondent to issue legal heir certificate based upon the petitioner's application, dated 28.10.2020.

2.According to the petitioner, earlier her husband by name A.Thangavelu married one Vijayalakshmi and out of the said wedlock, a female child namely T.Lakshmipriya was born to them. In the year 1980, she left the home, for which, a police complaint was lodged, however, she was not traceable. Thereafter, the said Thangavelu married the petitioner and a male child namely T.Saravanan was born to them on 10.03.1991. When the things stood thus, the husband of the petitioner died on 08.10.2010. After obtaining death certificate, the petitioner applied for legal heir certificate on 28.10.2020, enclosing all the required documents. Subsequently, the Revenue Inspector conducted enquiry about the genuineness of the application and filed his report. On 23.04.2021, the petitioner was issued with token to receive the legal heir certificate on 10.05.2021, however, no certificate was issued to her. Feeling aggrieved, she has come up with this writ petition for the aforesaid relief.



3.The learned counsel for the petitioner submitted that though the petitioner produced all the necessary documents to support her claim and enquiry was also conducted by the Revenue officials, no order was passed on the petitioner's application seeking legal heir certificate. Hence, he prayed for appropriate direction to the respondent in this regard.

4.On the other hand, the learned Government Advocate taking notice for the respondents fairly submitted that the respondent would consider the application of the petitioner and pass orders, on merits, within a time frame to be stipulated by this Court.

5.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the respondent to consider the application of the petitioner dated 28.10.2020 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as any other interested parties, within a period of six weeks from the date of receipt of a copy of this order.

6.This writ petition is disposed of accordingly. No costs.

s/d-
Assistant Registrar(CS VII)

True Copy

Sub-Assistant Registrar

msr

To

The Tahsildar,
Office of the Tahsildar,
Ganapathy,
Coimbatore North,
Coimbatore.

1 cc to Mr.S. Nagarajan, Advocate Sr.33374
1 cc to Mr. Government Pleader Sr.34340

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JPL(CO)
EU 20.07.2021