



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.NO.15418 OF 2021

Ramesh Sundaram

... Petitioner

.Vs.

1. The District Collector,
Chennai District,
Chennai.

2. The Tahsildar,
Mambalam Taluk,
Chennai - 33.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to issue legal heirship certificate of the petitioner's mother Mrs. Guna, in which his father's name Sundaram may be included as 'husband and died', within a time that may be specified by this court.

For Petitioner : Dr.K.Sundararaj
For Mr.R.Senthilkumar

For Respondents : Mr.Stalin Abhimanyu,
Government Counsel

ORDER

According to the petitioner, in his childhood, his father Sundaram left his family and his whereabouts is not known to him and other family members till date. His mother Guna took utmost care and efforts to grow the petitioner and his younger sister and brother, with great difficulties and she passed away on 31.12.1997. Thereafter, the petitioner applied for legal heirship certificate of his mother Guna, on 02.02.2021 through online. Though the revenue inspector conducted enquiry, no



certificate was issued to the petitioner. Upon verifying the application status, it was found that 'based on field report of the Revenue Inspector, the application may be rejected'. However, the petitioner was not received any certificate nor served on any order rejecting his application. Finding no other alternative, he has come forward with this writ petition seeking a mandamus, directing the second respondent to issue legal heirship certificate of his mother Guna, in which, his father's name Sundaram be included as 'husband and died'.

2. The learned counsel for the petitioner submitted that it would suffice, if the petitioner's application dated 02.02.2021 seeking issuance of legal heirship certificate is directed to be disposed of by the second respondent, in the light of the documents furnished, within a time frame to be stipulated by this court.

3. The learned Government counsel taking notice for the respondents has no serious objection for granting such relief to the petitioner.

4. Considering the limited relief sought by the learned counsel for the petitioner, which has not been seriously opposed on the side of the respondents, this court, without going into the merits of the case, directs the second respondent to consider the petitioner's application dated 02.02.2021 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, as expeditiously as possible, preferably, within a period of four weeks from the date of receipt of a copy of this order.

5. Accordingly, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CJ Conf.)

//True Copy//

Sub Assistant Registrar

mst

To

1. The District Collector,
Chennai District,
Chennai.



2. The Tahsildar,
Mambalam Taluk,
Chennai - 33.

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+2ccs to Dr.K.Sundararaj, Advocate, S.R.No.46039
+1cc to the Government Pleader, S.R.No.46533

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PMK (CO)
PBS/11/10/2021