



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2021

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. No. 19663 of 2021

Evangeline Radhika

.. Petitioner

Versus

1. The District Collector
Chennai Collector Office
Rajaji Salai
Chennai - 600 001

2. The Thasildar
Mylapore Taluk
Chennai - 600 028

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent to consider and pass orders on the petitioner's representation dated 23.08.2021 vide application No. T-7202108232275 in accordance with law for issuance of legal heir certificate of petitioner's mother namely R. Kalavathi

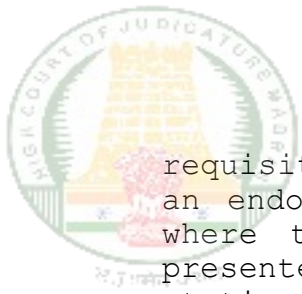
For Petitioner : Mr.G.V. Sridharan

For Respondents : Mr. G. Krishnaraja
Government Counsel

ORDER

The present writ petition has been filed seeking to issue a Writ of Mandamus to direct the second respondent to consider the petitioner's representation dated 23.08.2021 vide application No. T-7202108232275 in accordance with law for issuance of legal heir certificate.

2. According to the petitioner, three children were born out of the wedlock between her parents and they are (i) Rajesh, son (ii) R. Radha, daughter and (iii) Evangeline Radhika, the petitioner herein. On 13.03.2018, the mother of the petitioner died and therefore, the petitioner submitted an application on 19.04.2021 seeking legal heir certificate by enclosing all the



requisite documents. However, the application was returned with an endorsement that the address of the deceased and the place where the deceased died are different." The petitioner re-presented the application on 28.07.2021 with an affidavit stating that both the addresses furnished are the places where the deceased Kalavathi lived and the same are her permanent addresses. Notwithstanding the order of rejection, yet another application dated 23.08.2021 was submitted to the second respondent but it was not considered, hence, this Writ Petition.

3. Heard both sides and perused the materials placed on record. Considering the limited relief sought in this writ petition, this court, without going into the merits of the case, directs the second respondent to consider the petitioner's application dated 23.08.2021 for issuance of legal heirship certificate and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as any other interested parties, within a period of eight weeks from the date of receipt of a copy of this order.

4. With the aforesaid direction, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

dhk/rsh

To

1. The District Collector
Chennai Collector Office
Rajaji Salai
Chennai - 600 001

2. The Thasildar
Mylapore Taluk
Chennai - 600 028

+1cc to Mr.G.V. Sridharan Advocate SR.No.47355
+1cc to Government Pleader SR.No.47556

WP No.19663 of 2021

RS-I (CO)
CT/12/10/2021