



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2021

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. No. 20123 of 2021

B. Monisha Singh

.. Petitioner

Versus

1. The District Collector
Chennai District
No.62, Rajaji Salai
4th Floor
Chennai - 600 001

2. The Tahsildar
Perambur Taluk
No.3, Perambur High Road
Perambur
Chennai - 600 011

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the second respondent to dispose the representation for issuance of legal heirship certificate of the deceased Balaji Singh within a time frame as may be stipulated by this Hon'ble Court

For Petitioner : Ms. Divyabharathi

For Respondents : Mr. Stalin Abhimanyu
Government Counsel

O R D E R

Mr. Stalin Abhimanyu, learned Government Counsel takes notice for the respondent. By consent of both the parties, the writ petition is taken up for final disposal at the time of admission itself.

2. According to the petitioner, she was born on 29.08.1992 out of wedlock between one Balaji Singh and Uma bai. Due to matrimonial dispute, her parents approached the competent court and obtained a decree of divorce. The petitioner lived with her mother, however, her father used to meet her frequently and extended moral as well as financial support. The petitioner



further averred that after her marriage, she settled at Bangalore and her father contacted her over phone and also met her. Owing to pandemic situation, she could not meet her father. While so, on 13.12.2020, she came to know through her father's colleague that her father died on 10.12.2020 at K.L.Multi Speciality Hospital, Neelangarai, Chennai, due to sudden illness at the age of 59 years. It is alleged by the petitioner that the death of her father was wilfully and wantonly not informed to her by the paternal grandparents and relatives and she could not participate in the last rites. Thereafter, she submitted an application on 04.08.2021 to the second respondent seeking legal heir certificate. However, the said application was not considered, till date. Therefore, the petitioner has come up with this Writ Petition seeking appropriate direction to the second respondent in this regard.

3. Heard both sides and perused the records. Considering the above facts and circumstances of the case, without going into the merits of the case, this Court directs the second respondent to consider the petitioner's application dated 04.08.2021 seeking issuance of legal heirship certificate of her father 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 six weeks from the date of receipt of a copy of this order.

4. With the above said 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 District
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4th Floor
Chennai - 600 001



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+2cc to Ms. Divyabharathi, Advocate, S.R.No.48476
+1cc to the Government Pleader, S.R.No.48622

WP No. 20123 of 2021

AD(CO)
CT/13/10/2021