



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)NOS.18443, 18444 & 18445 of 2021

E.Vetriselvan

... Petitioner in all WPs

Vs

1. The District Collector,
Office of the Collector,
Madurai District,
Madurai.
2. The Tahsildar,
Madurai North Taluk,
Collectorate Campus,
Madurai.
3. The Inspector of Police,
Vishnu Kanchi Police Station,
Kancheepuram District.

...Respondents in all WPs

PRAYER IN W.P.NO.18433 OF 2021:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 & 2 to conduct enquiry and issue legal heirship certificate to the petitioner as the legal heir of petitioner's paternal grandfather Venkatachalam, S/o. Sabapoathi without insisting the death certificate of petitioner's father Ellappan based on the petitioner's representation dated 04.09.2021.

PRAYER IN W.P.NO.18444 OF 2021:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 & 2 to conduct enquiry and issue legal heirship certificate to the petitioner as the legal heir of petitioner's paternal grandmother Rajalakshmi, W/o. Venkatachalam without insisting the death certificate of petitioner's father Ellappan based on the petitioner's representation dated 04.09.2021.



PRAYER IN W.P.NO.18445 OF 2021:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 & 2 to conduct enquiry and issue legal heirship certificate to the petitioner and his mother namely Ankayarkanni as the legal heir of petitioner's father Ellappan, S/o Venkatachalam, without insisting the death certificate of petitioner's father Ellappan based on the petitioner's representation dated 04.09.2021.

IN ALL Wps

For petitioner : Mrs. R. Sankarasubhu for
M/s. SeeniSulthan

For Respondents 1 & 2 : Mrs. C. Sangamithirai,
Special Government Pleader

For 3rd respondent : Mr. Murthi,
Government Advocate

ORDER

These Writ Petitions have been filed seeking a direction to the respondents 1 to 2 to issue a legal heirship certificate as prayed for without insisting the death certificate of the petitioner's father Ellappan pursuant to the petitioner's representation.

2. The case of the petitioner is that after the demise of the petitioner's grandparents namely Venkatachalam & Rajalakshmi, the petitioner's father namely Ellappan was murdered in the year 2013, by the accused persons against whom the case is pending before the concerned District Court. Thereafter, the petitioner being a class-II legal heir of his grandparents, had applied for legal heirship certificate in respect of his grandparents, for which the petitioner was asked to produce the death certificate of his father, however, the petitioner could not produce the same since, the body of the petitioner's father could not be found as his father was murdered, and therefore the petitioner was unable to obtain the death certificate in respect of his father Ellappan. Thereafter, the petitioner made a representation dated 04.09.2021 to respondents 1 & 2 for issuance of the legal heirship certificate in respect of his father and his grandparents, however, till date, the same has not been considered by the respondents. Left with no other alternative, the petitioner has come up with the present Writ Petition seeking the above relief.



3. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issued direction to the respondents to consider the petitioner's representation dated 04.09.2021 and pass orders on the same, within the time frame fixed by this Court.

4. Learned Special Government Pleader for respondents 1 & 2 submits, that the petitioner's representation will be considered and appropriate orders will be passed within a period of four weeks.

5. Upon hearing the learned counsel for the petitioner and taking note of the submission of the learned Special Government Pleader, this Court without expressing any opinion on the merits of the case, directs the respondents 1 & 2 to consider the petitioner's representation dated 04.09.2021 for issuance of the death certificate in favour the petitioner's father Ellappan and pass appropriate orders on the same in accordance with law, within a period of four weeks from the date of receipt of a copy of this Order.

6. Accordingly, these Writ Petitions are disposed of with the aforesaid direction. No Costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

NH
To

1. The District Collector,
Office of the Collector,
Madurai District, Madurai.
2. The Tahsildar,
Madurai North Taluk,
Collectorate Campus, Madurai.
3. The Inspector of Police,
Vishnu Kanchi Police Station,
Kancheepuram District.

+1cc to the Government Pleader Sr.68684

W.P. (MD) NOs.18443, 18444 &
18445 of 2021

pch[co]
srg 03/02/2022