



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD)No.5603 of 2021

(Through Video Conferencing)

Ramana

... Petitioner

Vs.

1.The District Collector
Trichy District, Trichy

2.The District Revenue Officer,
Trichy District, Trichy.

3.The Revenue Divisional Officer/Sub Collector
Trichy, Trichy District

4.The Tahsildar,
Trichy East Taluk
Trichy District

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents 3 and 4 to consider the petitioner's representation dated 16.03.2018 and 12.02.2021 and to include the name of the petitioner and his sister Beena as legal heirs of their deceased grandmother Navaneetharajan in the light of Section 15(1)(a) of the Hindu Succession Act, within the time frame fixed by this Court.

For Petitioner :Mr.R.Subramanian

For Respondents :Mr.M.Rajarajan

Additional Government Pleader

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the fourth respondent to consider the representation made by the petitioner on 16.03.2018, wherein the petitioner has sought for the inclusion of the names of the petitioner and his sister as legal heirs of Late.Navaneetharajan.

2. The case of the petitioner is that Late.Navaneetharajan is the paternal grandmother of the petitioner. She is said to have had five children and the father of the petitioner is one of the sons. The further case of the petitioner is that his father died on 24.09.1992 leaving behind the petitioner, his sister and his mother.

3. The above said Navaneetharajan died on 06.03.2017 leaving behind her four children and also legal heirs of the deceased Mohanbabu, who is the father of the petitioner.



4. The grievance of the petitioner is that the fourth respondent has issued a legal heirship certificate by showing only the names of the four children and the names of the petitioner, his sister and his mother were not included in the legal heirship certificate. The petitioner therefore made representations to the second, third and fourth respondents in this regard. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

5. Heard the learned counsel for the petitioner, the learned Additional Government Pleader appearing for the respondents.

6. Taking into consideration the facts and circumstances of the case and also taking note of the provisions of Section 15(1)(a) of the Hindu Succession Act, there shall be a direction to the fourth respondent to consider the representations made by the petitioner on 16.03.2018 and 12.02.2021 and issue a fresh legal heirship certificate by adding the names of the petitioner, his mother and his sister along with the names of the four children of Late.Navaneetharajan. This process shall be completed by the fourth respondent within four weeks from the date of receipt of a copy of this order.

7. The petitioner is directed to make a fresh representation to the fourth respondent along with all the relevant documents and also a copy of this order.

8. This writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Collector
Trichy District, Trichy

2.The District Revenue Officer,
Trichy District, Trichy.



3.The Revenue Divisional Officer/Sub Collector
Trichy, Trichy District

4.The Tahsildar,
Trichy East Taluk
Trichy District

+1 CC to M/s.R.SUBRAMANIAN, Advocate (SR-17491[F] dated
26/04/2021)

W.P. (MD)No.5603 of 2021
23.04.2021

ES (CO)
KB(12.05.2021) 3P 6C