



WEB COPY

W.P.(MD)No.8246 of 2021

V.Thirugnanam . v. The Revenue Divisional Officer

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD)No.8246 of 2021

(Through Video Conferencing)

V.Thirugnanam

... Petitioner

Vs.

The Revenue Divisional Officer
O/o. the Revenue Divisional Office,
Sivagangai
Sivagangai District

... Respondent

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondent to dispose of the appeal pending before him for including all the legal heirs of deceased V.Ramanatha Pillai in the legal heir certificate and to issue it properly on the basis of enquiry report submitted by the subordinates of the respondent and the petitioner's representation sent to the respondent on 06.01.2021 to be considered within the stipulated time that may be fixed by this Court.

For Petitioner :Ms.K.Abiya

For Respondents :Mr.M.Muniyasamy

Additional Government Pleader

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondent to dispose of the appeal filed by the petitioner on 06.01.2021.

2. The case of the petitioner is that his maternal grandfather died in the year 1967 and the same is evident from the death certificate issued by the Commissioner of Sivagangai Municipality. According to the petitioner, he died leaving behind his wife, two daughters and two sons. The further case of the petitioner is that all his legal heirs had passed away prior to the year 2008.

3. The petitioner came to know that one of the sons named Kannayiram, who is one of the legal heir of Ramanatha Pillai, seems to have obtained a legal heirship certificate as if he is the only legal heir, from the Tahsildar, Sivagangai. The petitioner immediately made a representation to the Tahsildar to cancel the legal heirship certificate issued to the above said Kannayiram. The Tahsildar directed the Village Administrative Officer to make an enquiry and submit a report. The Village Administrative Officer



submitted the report dated 23.10.2018 stating that the grandfather of the petitioner namely Ramanathapillai died leaving behind his wife, two daughters and two sons.

4. The Tahsildar, Sivagangai thereafter directed the petitioner to approach the respondent herein and seek for legal heirship certificate by incorporating the names of all legal heirs. The petitioner accordingly submitted a representation before the respondent on 02.09.2020 and followed up with another representation on 02.12.2020. The grievance of the petitioner is that till date, the respondent has not acted upon the representation and left with no other option, the present writ petition came to be filed before this Court seeking for appropriate directions.

5. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing on behalf of the respondent.

6. Taking into consideration the facts and circumstances of the case and the limited relief sought for by the petitioner, there shall be a direction to the respondent to consider the representations made by the petitioner on 02.09.2020 and 02.12.2020 and take a decision strictly in accordance with law 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 respondent along with all relevant documents and also a copy of this order.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

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.



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To
The Revenue Divisional Officer
O/o. the Revenue Divisional Office,
Sivagangai
Sivagangai District

+1 CC to M/s.K.ABIYA, Advocate (SR-16817[F] dated 21/04/2021)
W.P. (MD)No.8246 of 2021
21.04.2021

RK(25.05.2021) 3P 3C