



BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 30.04.2021

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CORAM:
THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD)No.8903 of 2021
(Through Video Conferencing)

M.Kolanjiammal ... Petitioner

Vs.

1.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Collectorate Complex,
Tiruchirappalli.

2.The Tahsildar
The Taluk Office,
Trichy West,
Tiruchirappalli

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 1st respondent appellate authority herein to dispose the appeal dated 09.03.2021 filed by the petitioner within the time fixed by this Court.

For Petitioner :Mr.K.Rajesh
For Respondents :Ms.M.Rajeshwari
Government Advocate

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the first respondent to act upon the representation/appeal made by the petitioner on 09.03.2021 and to pass orders within the time frame fixed by this Court.

2.The case of the petitioner is that she is the legally wedded wife of one Late Kalian. According to the petitioner, her husband died on 21.07.2008 leaving behind the petitioner and her two children. The grievance of the petitioner is that one Valli, who had an illicit relationship with the husband of the petitioner, managed to get a legal heirship certificate in her name. Therefore, the petitioner filed a suit in O.S.No.1403/2011 before the Principal District Court, Trichy, seeking for a declaration to declare



that she is the legally wedded wife of Late Kaliyan. The suit was decreed by judgment and decree dated 31.01.2020.

3. The petitioner, thereafter, made a representation/appeal before the first respondent on 09.03.2021 to cancel the legal heirship certificate issued in favour of Valli. Since the same was not considered, the present writ petition has been filed before this Court.

4. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

5. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the first respondent to consider the representation/appeal filed by the petitioner on 09.03.2021 and deal with the same on its own merits and in accordance with law after affording an opportunity to the petitioner and the above said Valli and pass final orders within six weeks the date of receipt of a copy of this order.

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

7. 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 Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Collectorate Complex,
Tiruchirappalli.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Tahsildar
The Taluk Office,
Trichy West,
Tiruchirappalli

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KG (CO)
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