



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 23.08.2021**

**CORAM**

**THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY**

**W.P(MD)No.14875 of 2021**

WEB COPY

Inthirani

... Petitioner

**Vs.**

1.The District Collector,  
Tiruchirappalli,  
Tiruchirappalli District.

2.The Executive Engineer,  
Tamil Nadu Slum Clearance Board,  
Trichirappalli District,  
Trichirappalli.

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to change the rent of house situated in Door No.42/4, Sengluam Colony, Palakarai, Tiruchirappalli District from the name of the petitioner's father namely Late Mariappan to the petitioner's name as his only legal heir by considering the petitioner's representation, dated 19.07.2021.

For Petitioner : Mr.T.P.Balasubramanian  
For Respondents : Mr.P.Subbaraj  
Counsel for State

**ORDER**

The petitioner seeks a mutation of the name of the allottee of a house by the Tamil Nadu Slum Clearance Board.

2. The petitioner states that the second respondent allotted a house to his father. According to the petitioner, his father, namely Mariyappan, died on 03.09.2004. His only legal heirs were his wife Pandiammal, his son Maduraiveeran and his daughter T.Indirani. The petitioner states that her brother Maduraiveeran expired on 19.06.2010. The death certificate of her brother is enclosed. In such circumstances, the petitioner states that a representation dated 19.07.2021 was submitted to the second respondent seeking a mutation of the name of the allottee. On account of the failure of the second respondent to take action thereon, the present writ petition is filed.

3. Mr.P.Subbaraj, learned counsel for State, accepts notice on behalf of the respondents. He submits that the petitioner's representation may be considered and dispose of on merits after putting all the legal heirs on notice.



4. The legal heirship certificate produced by the petitioner discloses the names of Pandiammal, M.Maduraiveeran and the petitioner. While the death certificate of Mr.Maduraiveeran has been enclosed, the death certificate of Pandiammal has not been enclosed. In addition, it is unclear as to whether M.Mariyappan is survived by legal heirs. Therefore, it becomes necessary for the second respondent to put all the legal heirs on notice. Subject to the above observations but without going into the merits of the matter, the second respondent is directed to consider the petitioner's representation dated 19.07.2021 and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioner, Pandiammal or her legal heirs and the legal heirs of Maduraiveeran. Such reasoned order shall be passed within a period of three (3) months from the date of receipt of a copy of this order.

5. W.P.(MD).No.14875 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

kmm

**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,  
Tiruchirappalli,  
Tiruchirappalli District.

2.The Executive Engineer,  
Tamil Nadu Slum Clearance Board,  
Tiruchirappalli District,  
Tiruchirappalli.

+1 CC to M/s.SPL GP ( SR-27034[F] dated 24/08/2021 )

W.P (MD) No.14875 of 2021  
23.08.2021

GC (31.08.2021)/2P/4C

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