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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 25.04.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.3712 of 2022

R.Kumar

Vs

... Petitioner

1. The Revenue Division Officer,
North Chennai Division,
Tondiarpet, Chennai - 600 081.

2. The Sanitary Inspector,
Greater Chennai Corporation,
Zone 5, Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents herein to consider the representation of the petitioner in Na.Ka.No.A5/855/2019 dated 29.04.2019 and issue death certificate for petitioner's father Late M.Raji Son of Late Madurai and pass suitable orders on it within a time frame that may be fixed by this Court.

For Petitioner : Mr.Y.David Girubakaran

For Respondent : Mr.C.Jayaprakash
Government Advocate - R1
Mr.Rahul Aditya
for Ms.P.T.Ramadevi
Standing Counsel - R2

O R D E R

The prayer of the petitioner is for a mandamus simplicitor directing the respondents to consider the various representations of the petitioner, the one dated 26.02.2019 having been acknowledged by R1 in Na.Ka.No.A5/855/2019 dated 29.04.2019, and issue death certificate in regard to the petitioner's father Late M.Raji, son of Late Madurai.

2. On 25.03.2022, this Court passed the following order:



Notice was accepted by Mrs.Geetha Thamraiselvan, learned Special Government Pleader for both the respondents when the matter had come up for admission on 24.02.2022 and the following orders were passed:

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Mrs.Geetha Thamaraiselvan, learned Special Government Pleader accepts notice for the respondents and seeks sometime to obtain instructions and file a counter.

2. The prayer of the petitioner is for a mandamus simplicitor directing the respondents to consider the various representations of the petitioner, the one dated 26.02.2019 having been acknowledged by R1 in Na.Ka.No.A5/855/2019 dated 29.04.2019, and issue death certificate to the petitioner's father Late M.Raji, son of Late Madurai.

3. Let this matter be called on 25.03.2022. In the meanwhile, the petitioner as well as any other private parties, who may be thought necessary, will be heard and orders passed by R1 on the representations of the petitioner. 4. For this purpose, the petitioner is directed to appear before R1 on 04.03.2022 at 10.30 a.m. without awaiting any further notice in this regard. 5. List on 25.03.2022 for production of orders.

2. Today Mr.C.Jayaprakash, learned Government Advocate states that he appears for R1 and though the enquiry has taken place on 04.03.2022, as directed, a report of R2 is awaited for whom he does not appear.

3. Registry is directed to print the name of Mr.Rahul Adithya, learned counsel for Ms.P.T.Ramadevi, learned Standing Counsel for R2. Report shall be given by R2 to R1 within one week from today and decision taken by R1 within two weeks thereafter.

4. List on 25.04.2022 under the same caption.

3. Pursuant thereto, learned counsel for the respondents states that the report of R2 has been received by R1 on 19.04.2022 and the delay was on account of the petitioner having paid the fee for issuance of legal heirship certificate, only on 18.04.2022.



4. The procedure for issuance of the certificate is stated to be on-going, being publication, receipt of objections, if any, and passing of orders/issuance of legal heirship certificate thereafter. Learned Government Pleader assures the Court that the aforesaid process will be completed as expeditiously as possible, in any event on or before 31.05.2022 and a compliance report filed with the Registry.

5. Recording the above, this Writ Petition stands closed.
No costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

S1

To

1. The Revenue Divisional Officer,
North Chennai Division,
Tondiarpet, Chennai - 600 081.
2. The Sanitary Inspector,
Greater Chennai Corporation,
Zone 5, Chennai.

Copy To

The Section Officer,
Writ Section,
High Court, Madras-104

+1cc to Ms.P.T.Ramadevi, Advocate SR.No.28849

+1cc to Government Pleader SR.No.2819

W.P.No.3712 of 2022

KJ(CO)
GMY(30/05/2022)



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