



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2022

Coram

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Writ Petition No.14078 of 2022

A.Thenmozhi
W/o.Ashokan

.. Petitioner

Vs.

The Tahsildar
Office of the Tahsildar
Mohanur
Namakkal District.

..Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to consider the representation dated 02.12.2021 and issue the petitioner's father's legal heirship certificate to the petitioner.

For Petitioner : Mr.M.Marimuthu
For Respondents: Mr.P.Ganesan
Government Advocate

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2. The petitioner herein had given a representation to the respondent on 02.12.2021 seeking for issuance of legal heirship certificate to the petitioner. Since the said representation was not considered, the present writ petition has been filed.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this



Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the respondent herein to consider the petitioner's representation dated 02.12.2021 on its own merits and pass appropriate orders in accordance with law, after giving due opportunity of hearing to all the interested parties, within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

The Tahsildar
Office of the Tahsildar
Mohanur
Namakkal District.

Writ Petition No.14078 of 2022

mt (CO)
A.SK(17/06/2022)