



WEB COPY



W.P.No.25992 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.25992 of 2022

E.Venkatesan

.... Petitioner

-Vs-

The Tahsildar
Thiruvottiyur Taluk
Chennai – 600 019.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus for a direction to the respondent to consider the representation of the petitioner dated 15.07.2022 to issue legal heirship certificate.

For Petitioner : Mr.C.Samadharmarasa

For Respondents : Mr.R.Kumaravel
Additional Government Pleader

ORDER

The prayer sought for herein is for a Writ of Mandamus for a direction to the respondent to consider the representation of the petitioner dated 15.07.2022 to issue legal heirship certificate.



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2. The petitioner made an application to the respondent Tahsildar on 15.07.2022 to get a legal heirship certificate of one Vadivelu who is the paternal uncle of the petitioner ie., brother of the petitioner's father. According to the petitioner, the uncle of the petitioner ie., Vadivelu had no issues and he nurtured the petitioner and all the last rites after the death of the said Vadivelu was performed only by the petitioner. The petitioner was also made as a nominee in the bank account of the said Vadivelu and therefore, in that context the petitioner, in order to get the legal heirship certificate for the deceased Vadivelu ie., the uncle of the petitioner has made the said application to the Tahsildar and the same since has not been considered so far, he has approached this Court by filing the present writ petition.

3. Heard Mr.C.Samadharmar Arasu, learned counsel for the petitioner, who had reiterated the aforesaid facts and seeks the indulgence of this Court to issue appropriate direction to the respondent.

4. Heard Mr.R.Kumaravel, learned Additional Government Pleader appearing for the respondent who would submit that, the application submitted by the petitioner dated 15.07.2022 would be considered and decided on merits and in accordance with law and in this regard, whether any other legal heirs are available to the said Vadivelu will also be ascertained and accordingly necessary



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certificate to that effect would be issued to the legal heirs, which may or may not include the petitioner within the time frame stipulated by this Court.

5. In view of the said submission made by the learned counsel for the parties especially the learned Additional Government Pleader, this Court is inclined to dispose of this writ petition with the following order.

- That there shall be a direction to the respondent Tahsildar to consider the representation of the petitioner dated 15.07.2022 and pass orders thereon after hearing the petitioner as well as any other legal heir if available to the said Vadivelu and pass necessary orders with regard to the grant of legal heirship certificate to the petitioner or any other legal heirs including (or) excluding the petitioner depending upon the availability of other legal heirs of the deceased Vadivelu.
- The needful as indicated above shall be undertaken by the respondent within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs.

28.09.2022

Index : Yes/No
Internet : Yes/No
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R. SURESH KUMAR, J.

KST

To

The Tahsildar
Thiruvottiyur Taluk
Chennai – 600 019.

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