



W.P.No.28197 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.28197 of 2022

Govindan

.... Petitioner

-Vs-

1.The District Collector
Office of the Collectorate
Salem District.

2.The Tahsildar
Office of the Tahsildar
Gengavali Taluk
Salem District.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to issue Class II legal heir certificate by disposing of the petitioner's representation dated 22.09.2022 within the time limit stipulated by this Hon'ble Court.

For Petitioner : Mr.A.Rajakumar

For Respondents : Mr.N.Naveen Kumar
Government Advocate



W.P.No.28197 of 2022

ORDER

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The prayer sought for herein is for a Writ of Mandamus directing the respondents to issue Class II legal heir certificate by disposing of the petitioner's representation dated 22.09.2022 within the time limit stipulated by this Hon'ble Court.

2. The petitioner's brother one Singaram died due to COVID-19 on 16.11.2021. The parents of the petitioner the deceased Singaram pre-deceased the said Singaram. Therefore, the petitioner is the only Class-II legal heir of the said Singaram. Hence, in order to get the legal heir certificate the petitioner has given a representation to the respondents on 22.09.2022 and the same since has not been considered, the present writ petition has been filed.

3. Reiterating the aforesaid facts the learned counsel for the petitioner seeks the indulgence of this Court to issue appropriate directions.

4. Heard Mr.N.Naveen Kumar learned Government Advocate for the respondents who would submit that, as per the Government Order in G.O.Ms.No.478, Revenue & Disaster Management, Revenue Administration Wing, RA-3 (2) Section dated 29.09.2022 mandatory guidelines have been issued as to how the applications shall be made for getting Legal Heirship certificate and if



W.P.No.28197 of 2022

the applications are made how it shall be dealt with by the authorities concerned has been clearly spelt out. Therefore, relying upon the said Government Order, learned Government Advocate submits that the petitioner, since has to make an on-line application with necessary annexures and since the petitioner has not made any on-line application, his representation cannot be considered and processed, he contended.

5. I have considered the submissions made by the learned counsel for both sides and have perused the materials placed on record.

6. In this regard, learned counsel for the petitioner would submit that the petitioner would immediately make an on-line application as required under the latest Government Order in G.O.Ms.No.478 dated 29.09.2022 and once such an application is made through on-line, let a direction be issued to the respondents consider the same within a time frame that may be stipulated by this Court.

7. Considering the said submission made by both sides, the following orders are passed.

- That the petitioner shall submit an on-line application



W.P.No.28197 of 2022

seeking Class II legal heirship certificate to the respondents, especially the second respondent through on-line mode as contemplated under G.O.Ms.No.478 dated 29.09.2022 referred to above within a period of one week from the date of receipt of a copy of this order.

- On receipt of such application, the same shall be processed and final orders shall be passed by the second respondent within a period of four weeks thereafter.

8. With the above directions, this writ petition is disposed of. No costs.

20.10.2022

Index : Yes/No
Internet : Yes/No
KST
To

1.The District Collector
Office of the Collectorate
Salem District.

2.The Tahsildar
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Gengavali Taluk
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W.P.No.28197 of 2022

R. SURESH KUMAR, J.

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