



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2021

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.28227 of 2021

Mr. Muthuswamy

.....Petitioner

vs.

1. The District Collector,
Dharmapuri District.
2. The Revenue Divisional Officer,
Dharmapuri District.
3. The Tahsildar,
Karimangalam Taluk,
Dharmapuri District.
4. The Village Administrative Officer,
Adilam Village, Karimangalam,
Dharmapuri District.

.. Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, is issue a Writ of Mandamus, directing the respondents 3 & 4 to dispose of the Online Application given by the petitioner vide online Application receipt No.TN-TN-720210813171 dated 13.08.2021 within the time limit stipulated by this Court.

For Petitioner	: Mr.B. Ramar
For Respondents 1-4	: Mrs. C. Sangamithirai, Special Government Pleader

ORDER

The petitioner has filed this petition seeking issuance of a Writ of Mandamus directing the respondents 3 & 4 to dispose of the petitioner's Online Application dated 13.08.2021 within the time frame fixed by this Court.

2. Mrs. C. Sangamithirai, Special Government Pleader takes notice to respondents 1 to 4.

3. The case of the petitioner is that the petitioner is the son of Mr.Sengodanayakkar and one Angammal. After the demise of his father, the petitioner's sister was married to one Varradhappan and they were blessed with a female child who is



the wife of the petitioner. However, the petitioner was working in Karnataka for several decades and taking advantage of the same, some third parties fabricated documents in their names in respect of the petitioner's ancestral property for which the suit in O.S.No.124 of 2021 is pending before the District Munsif, Dharmapuri District. While being so, the petitioner applied for legal heir certificate along with necessary documents through online on 13.08.2021, pursuant to which, the respondents 2 & 3 insisted the petitioner to produce the death certificate of the petitioner's father. Subsequently, the petitioner made a representation to the 2nd respondent on 07.09.2021 for issuance of the death certificate in respect of his father for which the 2nd respondent sent a letter to the 3rd respondent to conduct an enquiry and submit the report on the same. However, no action has been taken on the same by the 3rd respondent. Hence, the Writ Petition is filed.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the 3rd respondent to conduct an enquiry, pursuant to the letter dated 13.09.2021 issued by the 2nd respondent within the time frame fixed by this Court.

5. Learned Special Government Pleader appearing for respondents 1 to 4 submits that appropriate steps will be taken pursuant to the letter dated 13.09.2021 issued by the 2nd respondent within the time frame fixed by this Court.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the 3rd Respondent to conduct an enquiry pursuant to the letter dated 13.09.2021 and submit a report of the same to the 2nd respondent, within a period of twelve weeks from the date of receipt of a copy of this order. On receipt of the said report, the 2nd and 3rd respondent is directed to pass appropriate orders on the petitioner's representation dated 07.09.2021 in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

NHS



To

1. The District Collector,
Dharmapuri District.

2. The Revenue Divisional Officer,
Dharmapuri District.

3. The Tahsildar,
Karimangalam Taluk,
Dharmapuri District.

4. The Village Administrative Officer,
Adilam Village, Karimangalam,
Dharmapuri District.

+1 cc to Mr.B. Ramar, Advocate Sr.NO. 368

+1 cc to Government Pleader Sr.NO. 685

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RSI (CO)

A.SK(28.01.2022)