



WEB COPY



W.P.No.28358 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.28358 of 2022

Jayakumar

.... Petitioner

-Vs-

1.The Tahsildar
Tahsildar Office
Guindy, Chennai.

2.The District Collector
District Collectorate Office
Chennai.

.... 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 consider the representation letter of the petitioner dated 22.07.2022.

For Petitioner : Mrs.V.Kalaivani
For Respondents : Mr.T.K.Saravanan
Government Advocate

ORDER

The prayer sought for herein is for a Writ of Mandamus directing the respondents to consider the representation letter of the petitioner dated 22.07.2022.



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2. The petitioner's uncle one Rangan and aunt one Ramamirtham died on 13.10.2022 and 18.07.2010 respectively. The said couple did not have any legal heirs as they had no issues. In this context, it is the claim of the petitioner that his mother and elder brother viz., Mahalakshmi and Jayakumar are only the legal heirs of the deceased uncle and aunt. Therefore, in order to get the Class-II legal heirship certificate, the petitioner has given a representation to the respondents on 22.07.2022 and in order to consider the same and to pass orders thereon on merits and in accordance with law, the petitioner has moved the present writ petition.

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

4. Heard Mr.T.K.Saravanan, 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 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



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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 seeking Class II legal heirship certificate to the respondents especially the 1st 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.



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- On receipt of such application, the same shall be processed and final orders shall be passed by the 1st respondent within a period of four weeks thereafter.

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

27.10.2022

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

1.The Tahsildar
Tahsildar Office
Guindy, Chennai.

2.The District Collector
District Collector Office
Chennai.



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R. SURESH KUMAR, J.

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