



W.P.No.29383 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.29383 of 2022

T.P.Ganesh Prasad

.... Petitioner

-Vs-

1.The District Collector
District Collectorate Office
Chengalpet District.

2.The Tahsildar
Alandur Taluk
Chennai 600 061.

.... 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 petitioner's representation dated 20.09.2021 and to direct the respondents to issue legal heir certificate by considering the petitioner's application dated 20.04.2016.

For Petitioner : Mr.K.Kathiresan

For Respondents : Mr.T.K.Saravanan
Government Advocate



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ORDER

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The prayer sought for herein is for a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 20.09.2021 and to direct the respondents to issue legal heir certificate by considering the petitioner's application dated 20.04.2016.

2. The petitioner's father one Perumal died on 11.10.2015 leaving behind all the legal heirs including the petitioner. In order to get the legal heir certificate the petitioner had made an application on 20.04.2016 which was received and acknowledged by the second respondent on 21.04.2016. Despite the said application was filed long years back and after taking persistent efforts by the petitioner in this regard as claimed by the petitioner, the application submitted by the petitioner so far has not been considered and it is pending before the second respondent. Hence, in order to seek the indulgence of this Court to give a direction to the respondents to pass orders on the application submitted by the petitioner, this 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.T.K.Saravanan, learned Government Advocate for the



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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 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 to 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



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orders are passed.

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- That the petitioner shall submit an on-line application seeking 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 after hearing the petitioner and all other legal heirs of the deceased within a period of four weeks thereafter.

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

07.11.2022

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

1.The District Collector, District Collectorate Office
Chengalpet District.

2.The Tahsildar, Alandur Taluk
Chennai 600 061.



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R. SURESH KUMAR, J.

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