



WEB COPY



W.P.No.29823 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.29823 of 2022

D.Sivagami
Petitioner

...

Vs

The Tahsildar,
Velacheri Taluk,
Chennai – 600 042.

... Respondent

Prayer : Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent to dispose of representation dated 22.08.2022 to issue a legal heir certificate to the petitioner.

For Petitioner : Mr.T.V.G.Kartheeban

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

ORDER

The prayer sought for herein is for a writ of mandamus directing the respondent to dispose of the representation of the petitioner dated 22.08.2022 to issue a legal heir certificate to her.



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2. The petitioner's father one Egambaram died on 13.07.1998, her mother one Pushpa died on 13.06.2015. Since the parents of the petitioner died and the petitioner claimed that she is the only legal heir, in order to get legal heir certificate to produce before the concerned authority who allotted a house in the name of the petitioner's father to change it in the name of the petitioner, the petitioner had given request to the respondent on 22.08.2022 to get a legal heir certificate and the same since was not considered and it is kept pending, the petitioner has moved the present writ petition with the aforestated prayer.

3. Heard Mr.T.V.G.Kartheeban, learned counsel appearing for the petitioner and Mr.N.Naveen Kumar, learned Government Advocate appearing for the respondent.

4. The learned Government Advocate appearing for the respondent would contend that, on 29.09.2022 the Government has issued a Government Order in G.O.(Ms)No.478, Revenue and Disaster Management Department, under which mandatory guidelines have been issued as to how application submitted for getting legal heir certificate to be dealt with.



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WEB COPY 5. In this context, the learned Government Advocate would also submit that, application shall be made through online only based on which it would be processed and decided by the concerned Tahsildar of the Revenue Department concerned.

6. Taking into account of the said submissions made by the learned counsel appearing for the parties especially the learned Government Advocate appearing for the respondent, since the petitioner has given only off-line application dated 22.08.2022 and the procedure has been changed from 29.09.2022 as per the Government Order referred to above, this Court feels that, this writ petition can be disposed of with the following orders:

That it is for the petitioner to make online application to the respondent within a period of two weeks from the date of receipt of a copy of this order along with necessary particulars and on receipt of such online application, the same shall be processed by the respondent Tahsildar and after giving an opportunity of being heard to the petitioner, the same shall be decided and orders to that effect shall be passed within a period



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of four weeks thereafter, of course by following the guidelines

WEB COPY issued under the G.O. referred to above.

7. With this direction, this Writ Petition is disposed of. No costs.

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Index : Yes / No

Speaking Order: Yes / No

Sgl

To

The Tahsildar,
Velacheri Taluk,
Chennai – 600 042.



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R. SURESH KUMAR, J.

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