



W.P. No. 30651 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 30651 of 2022

G.Ganesan

... Petitioner

-VS-

1. The Joint Commissioner,
H.R. & C.E. Department,
Arcot Road,
Kakithapattarai,
Vellore - 12
2. The Assistant Commissioner,
H.R. & C.E. Department,
Arcot Road,
Kakithapattarai,
Vellore - 12.
3. The Inspector,
H.R. & C.E. Department (Extn),
Tirupattur,
Tirupattur District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to consider the Petitioner's representation dated 26.06.2022 to include the Petitioner as one of the hereditary trustee following the death of the Petitioner's father as his one of the male descendant.



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For Petitioner : Mr. Pa.Sudesh Kumar

For Respondents : Mr. K.Karthikeyan,
Government Advocate

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ORDER

Heard Mr. Pa.Sudesh Kumar, Learned Counsel for the Petitioner and Mr. K.Karthikeyan, Learned Government Advocate, who takes notice for the Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that he has made a representation dated 26.06.2022 to include him as one of the hereditary trustee following the death of his father as his one of the male descendant, but as no action has been taken thereon, he has filed this Writ Petition.

3. Having regard to the limited nature of relief sought, this Court without expressing any view on the correctness or entitlement of the claim made by the Petitioner, passes the following order:-

- (i) the concerned authority shall immediately examine the representation dated 26.06.2022 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;



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(ii) if it is found that any other details or supporting documents is necessary,

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the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 15 days for the same;

(iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner to explain his position in that regard; and

(iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated by 31.03.2023 under written acknowledgment.

4. In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

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vjt

Index: Yes/No

Note: Issue order copy by 02.12.2022.



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To

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P.D. AUDIKESAVALU, J.

vjt

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