



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.02.2022

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THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P(MD).No.2565 of 2022
and W.M.P.(MD).No.2257 of 2022

D.Murugan

.. Petitioner

Vs.

- 1.The District Collector,
Office of the District Collector,
Madurai.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Madurai.
- 3.The Tahsildar,
Madurai North Taluk Office,
Madurai.
- 4.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai.
- 5.The Inspector of Police,
Alanganallur Police Station,
Madurai.

- 6.Baby
- 7.Thiruppathi
- 8.Tamilganesan
- 9.Sivakumar
- 10.Muthuselvam

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 herein to consider the petitioner's representation dated 26.01.2022 and take necessary action.

For Petitioner : Mr.T.Vinoth Gambili

For Respondents : Mr.D.Sasikumar for R1 to R5
Additional Government Pleader



ORDER

This writ petition has been filed for Mandamus seeking for direction to the respondents 1 to 3 to consider the petitioner's representation dated 26.01.2022 and take necessary action and pass further orders within a time frame to be fixed by this Court.

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2. According to the petitioner, his father Dakshinamurthy died on 04.07.2016. It is the case of the petitioner that his parents are Dakshinamurthy and Vellachi, who is his first wife and out of their wedlock they were blessed with seven children, out of whom four are dead. But however, the Tahsildar has issued Legal Heirship Certificate for his father Dakshinamurthy exclusively in the names of his second wife, who is the 6th respondent herein and her children. Aggrieved by the issuance of the Legal Heirship Certificate, the petitioner has challenged the same and the same has also been cancelled on 14.02.2021. Thereafter, representation has been given on 26.01.2022 by the petitioner seeking for participation in the temple festival, as according to him, being a legal heir he is entitled to participate in the subject festival and do the honours for the Deity along with other children born to the first wife of the deceased Dakshinamurthy. Since they are prevented from participating in the temple festival and doing the honours for the Deity, the aforementioned representation dated 26.01.2022 has been given to the respondents 1 to 3.

3. No prejudice will be caused to the respondents, if the petitioner's representation dated 26.01.2022 is considered on merits and in accordance with law. Since the temple festival is scheduled to be take place today (i.e., on 08.02.2022), which will end on 10.02.2022, the third respondent is directed to dispose of the petitioner's representation, dated 26.01.2022, by today (i.e., on 08.02.2022) itself and pass orders on merits and in accordance with law.

4. With the aforesaid directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

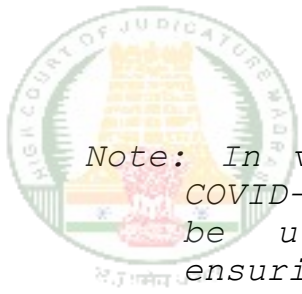
Assistant Registrar (T&P)

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/ /2022

Sub Assistant Registrar (CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The District Collector,
Office of the District Collector,
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- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Madurai.
- 3.The Tahsildar,
Madurai North Taluk Office,
Madurai.
- 4.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai.
- 5.The Inspector of Police,
Alanganallur Police Station,
Madurai.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.T.VINOTH GAMBLI, Advocate(SR-4832[F] dated 08/02/2022)

**W.P (MD) .No.2565 of 2022
08.02.2022**

MGJ(08.02.2022) 3P 8C