



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2022

CORAM:

THE HONOURABLE **MR. JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.2998 of 2022

J.Rajesh

... Petitioner

/Vs./

1.The Tashildar,
Killiyoor Taluk,
Killiyoor,
Kanyakumari District.

2.The Village Administrative Officer,
Methukumal Village,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to issue legal heir certificate for the petitioner considering the death of his father, R.Johnson who died on 25-11-2013 by considering the application of the petitioner dated 01.12.2021 and the remainder representation dated 22.01.2022 within a time frame that may be fixed by this Court.

For Petitioner	:	Mr.S.C.Herold Singh
For Respondents	:	Mr.D.Sasikumar Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus, seeking for a direction to the first respondent to issue legal heirship certificate for the petitioner's father, R.Johnson, who died on 25.11.2013. He has submitted an application on 01.12.2021 with the respondent seeking for issuance of legal heirship for his late father, R.Johnson. He has also sent a reminder dated 22.01.2022. Since his application for legal heirship certificate has not been considered till date, he has filed this writ petition.

2. Heard Mr.S.C.Herold Singh, learned counsel appearing for the petitioner and Mr.D.Sasikumar, learned Additional Government Pleader, who accepts notice for all the respondents.

3. No prejudice would be caused to the respondents, if the petitioner's application dated 01.12.2021 seeking for issuance of legal heirship for his late father, R.Johnson, who died on 25.11.2013, is considered on merits and in accordance with law, after affording a fair hearing to the petitioner as well as any other necessary party, including other legal heirs of the deceased R. Johnson.



4. Accordingly, this Court directs the first respondent to consider the petitioner's application dated 01.12.2021 seeking for issuance of legal heirship certificate for his late father, R.Johnson, who died on 25.11.2013 and pass final orders, on merits and in accordance with law, after affording a fair hearing to the petitioner as well as any other necessary party, which includes any other legal heirs of the deceased R.Johnson, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5. With the aforesaid direction, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /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 Tashildar,
Killiyoor Taluk,
Killiyoor,
Kanyakumari District.

2. The Village Administrative Officer,
Methukumal Village,
Kanyakumari District.

+1 CC to M/s.SPL GP (SR-6781[F] dated 17/02/2022)

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-6688[F] dated 17/02/2022)

W.P. [MD] No. 2998 of 2022

16.02.2022

AP (26.02.2022) 2P 5C