



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.04.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.7048 of 2022

1.Veerammal

2.Ramalakshmi

... Petitioners

/Vs./

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Tahsildar,
Palayamkottai Taluk,
Kokirakulam,
Tirunelveli.

3.The Village Administrative Officer,
Kulavanigarapuram Village,
Palayamkottai Taluk,
Tirunelveli.

4.R.Periyasamy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 2nd and 3rd respondents to issue legal heir certificate for the petitioners on account of the death of their father, Ramaiah, who died on 01.05.2021 and mother Chellammal, who died on 07.05.2021 by considering their representation dated 18.02.2022, within a time frame that may be stipulated by this Court.

For Petitioners : Mr.R.Pon Karthikeyan

For R1 to R3 : Mr.B.Saravanan

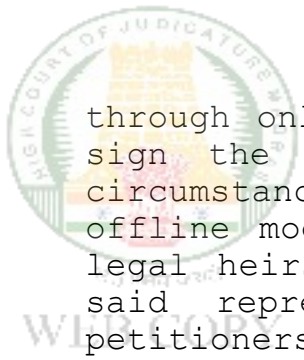
Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to consider the petitioners' representation dated 18.02.2022 seeking for issuance of legal heirship certificate for their parents, father, namely, Ramaiah, who died on 01.05.2021 and mother, namely, Chellammal, who died on 07.05.2021 respectively, within a time frame to be fixed by this Court.

2.According to the petitioners, the fourth respondent is their brother. They attempted to apply for legal heirship certificate

<https://hcservices.ecourts.gov.in/hcservices/>



through online. Since the fourth respondent did not cooperate and sign the application, their attempts went in vain. In such circumstances, they have given a representation on 18.02.2022 in offline mode to the official respondents requesting them to issue legal heirship certificate for their deceased parents. Since the said representation has not been considered till date, the petitioners have filed this writ petition.

3. Heard Mr.R.Pon Karthikeyan, learned Counsel for the writ petitioners and Mr.B.Saravanan, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 to 3.

4. No prejudice would be caused to the second respondent, if the petitioners' representation dated 18.02.2022 seeking for issuance of legal heirship certificate for the deceased parents, father, namely, Ramaiah, who died on 01.05.2021 and mother, namely, Chellammal, who died on 07.05.2021 is considered on merits and in accordance with law, after affording a fair hearing to the petitioners, the fourth respondent and any other necessary party, whom the second respondent deems fit to enquire.

5. For the foregoing reasons, this Court directs the second respondent to consider the petitioners' representation dated 18.02.2022 seeking for issuance of legal heirship certificate for the deceased father, namely, Ramaiah, who died on 01.05.2021 and deceased mother, namely, Chellammal, who died on 07.05.2021, who are the parents of the petitioners and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioners, the fourth respondent and any other necessary party, whom the second respondent deems fit to enquire, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The District Collector,
Tirunelveli District,
Tirunelveli.



2.The Tahsildar,
Palayamkottai Taluk,
Kokirakulam,
Tirunelveli.

3.The Village Administrative Officer,
Kulavanigarpuram Village,
Palayamkottai Taluk,
Tirunelveli.

+1 CC to M/s.SPL.GP. (SR-19014[F] dated 18/04/2022)

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13.04.2022

RD(28.04.2022) 3P 5C