



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.04.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD).No.8714 of 2022

P.Thangadurai

... Petitioner

Vs.

1.The Tahsildar,
Manamadurai Taluk,
Sivagangai District - 630606.

2.The Village Administrative Officer,
Vediyarendal Group,
Manamadurai Taluk,
Sivagangai District - 630606.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 herein to issue legal heir certificate to the petitioner and other legal heirs by considering the petitioner's representation dated 25.04.2022.

For Petitioner : M/s.S.Bharathy Kannan
For Respondents : Mr.B.Saravanan,
Additional Government Pleader.

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to issue legal heirship certificate to the petitioner and other legal heirs of the deceased Ponnaiah based on the petitioner's representation dated 25.04.2022 within a time frame to be fixed by this Court.

2.The deceased Ponnaiah died on 15.05.2021. The petitioner is the son of the second wife of the deceased Ponnaiah. According to the petitioner, through the first wife, Ponnaiah had two children and through the second wife, he had three children including the petitioner. In all, the deceased Ponnaiah had five children. The petitioner has submitted a representation on 25.04.2022 seeking for issuance of legal heirship certificate for his deceased father, Ponnaiah. Since the said representation has not been considered till date, he has filed this Writ Petition.

3.No prejudice would be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law after affording a fair hearing to the petitioner and any other necessary party, whom the first respondent deems fit to enquire.



4.As seen from the documents filed along with the Writ Petition, the second respondent has already recommended for issuance of legal heirship certificate on 26.11.2021.

5.For the foregoing reasons, this Court directs the first respondent to pass final orders on the petitioner's representation dated 25.04.2022, seeking for issuance of legal heirship certificate for his deceased father, Ponnaiah by including the names of all the legal heirs of his deceased father including the petitioner, within a period of twelve (12) weeks from the date of receipt of a copy of this order after affording a fair hearing to the petitioner and any other necessary party, whom the first respondent deems fit to enquire, including granting them the right of personal hearing.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1.The Tahsildar,
Manamadurai Taluk,
Sivagangai District - 630606.

2.The Village Administrative Officer,
Vediyarendal Group,
Manamadurai Taluk,
Sivagangai District - 630606.

+1 CC to M/s.G.BALASUBRAMANI, Advocate (SR-22776[F] dated 29/04/2022)

+1 CC to M/s.SPL.GP (SR-23292[F] dated 04/05/2022)

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RS (25.05.2022) 2P-5C