

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 22.09.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.16504 of 2022

J.Sumitha

..Petitioner

Vs

1.The District Collector,
District Collectorate Office,
Madurai-625 020.

2.The Revenue Divisional Officer,
District Collectorate Office Campus,
Madurai-625 020.

3.The Tahsildar,
Madurai West,
Tahsildar Office,
Madurai.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the third respondent to rectify the petitioner's husband's date of death as 11.04.2022 and also change the resident's address as Veera Kovil Street in the legal heir certificate No.TN-7202205311183, dated on 11.06.2022 issued by third respondent.

For Petitioner :Mr.M.Karuppasamy Pandian

For Respondents :Mr.D.Sadiq Raja
Additional Government Pleader

ORDER

The Petitioner has prayed for issuance of a Writ of Mandamus, directing the third respondent to rectify the petitioner's husband's date of death as 11.04.2022 and also change the resident's address as Veera Kovil Street in the legal heir certificate No.TN-7202205311183, dated on 11.06.2022 issued by third respondent.

2.Heard Mr.M.Karuppasamy Pandian, learned counsel appearing for the petitioner and Mr.D.Sadiq Raja, learned Additional Government Pleader, who takes notice for the respondents. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The learned counsel appearing for the petitioner would submit that the petitioner is unemployed graduate widow. The petitioner's husband namely, Late.M.Pandikumar passed away on 11.04.2022 due to heart attack and death certificate was issued by Madurai Corporation in D-2022:33-5303-000030. She have only one son and his name is P.K.Lokajit, aged about 5 years. She had applied for Legal heir certificate through e-service center Madurai West Tahsildar Office on 31.05.2022 by attaching all the required details along with her husband death certificate and family card Xerox and Aadhar Card Xerox. The Madurai West Tahsildar issued the Legal Heir certificate on 11.06.2022 in Certificate

No.TN-7202205311183. While issuing the legal heir certificate her husband's date of death and home address were wrongly mentioned as 28.04.2022 instead of 11.04.2022 and also mentioned house address as 'Eera Kovil Street' instead of 'Veera Kovil Street'. Immediately, the petitioner has approached the third respondent to rectify those errors and reapplied the same on 17.06.2022 and the same is pending till today. She immediately approached the first respondent, the District Collector and gave a representation on 04.07.2022 in receipt No.21148 and the first respondent has forwarded the same to the second respondent Office. But the second respondent has not consider the same and hence, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.

4. The learned Additional Government Pleader appearing for the respondents submits that appropriate direction may be given to the respondents to consider the petitioner's application, dated 04.07.2022, in accordance with law, within a time frame.

5. Considering the limited scope of the prayer sought for by the petitioner, this Court, without going into the merits of the case, directs the third respondent to rectify the petitioner's husband's date of death as 11.04.2022 and also change the resident's address as 'Veera Kovil Street'

instead of 'Era Kovil Street' in the legal heir Certificate No.TN 7202205311183, dated 11.06.2022 issued by the third respondent by considering the petitioner's representation, dated 04.07.2022 and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6.With the above directions, the Writ Petition stands disposed of. No costs.

22.09.2022

Index : Yes/No
Internet:Yes/No
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