



W.P.(MD)No.27260 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.12.2022

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THE HONOURABLE Mrs. JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD) No.27260 of 2022

K.Bala Murugan

.. Petitioner

Versus

1.The Revenue Divisional Officer,
O/o. the Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.

2.The Tahsildar,
Paramakudi Tahsildar Office,
Paramakudi,
Ramanathapuram District.

.. Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent to dispose the Appeal preferred by the petitioner, dated 29.10.2022, regarding issuance of Legal Heirship Certificate of the unmarried deceased brother, by including the petitioner's name, based on G.O.(Ms).No.478, Revenue and Disaster Management Department, dated 29.09.2022, issued by the Principal Secretary to the Government, within a time frame to be fixed by this Court.

For Petitioner	:	Mr.I.Pinaygash
For Respondents	:	Mrs.K.Christy Theboral Additional Government Pleader



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ORDER

WEB COPY The petitioner has prayed for issuance of a Writ of Mandamus, directing the first respondent to dispose the Appeal preferred by him, dated 29.10.2022, regarding issuance of Legal Heirship Certificate of his unmarried deceased brother, by including his name, based on G.O.(Ms).No.478, Revenue and Disaster Management Department, dated 29.09.2022, within a time frame.

2. Heard Mr.I.Pinaygash, learned counsel for the petitioner and Mrs.K.Christy Theboral, learned Additional Government Pleader, who takes notice for the respondents. By consent of both sides, the Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the learned counsel for the petitioner, the petitioner's elder brother namely, K.Anandha Kumar died in a road accident on 13.06.2011, leaving behind the petitioner and his mother as legal heirs. Hence, the petitioner applied for issuance of legal heirship certificate of his unmarried elder brother before the second respondent. But, inadvertently, his name was not included in the legal heirship certificate of his unmarried elder brother. Therefore, on 29.10.2022, the petitioner preferred an appeal before the first respondent and requested to issue legal heirship certificate. Since the same has not been considered so far, the petitioner has approached this Court

<https://www.mhc.tri.gov.in/judis> by way of filing the present Writ Petition for the relief stated supra.



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4. The learned Additional Government Pleader appearing for the respondents, on instructions, submitted that if the petitioner submit an online application along with relevant documents to the second respondent, his request for issuance of legal heirship certificate would be considered and appropriate orders would be passed.

5. Recording the aforesaid submission made by the learned Additional Government Pleader appearing for the respondents, this Court directs the petitioner to submit an online application along with the relevant documents to the second respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said application, the second respondent shall consider the request of the petitioner, and pass appropriate orders on merits and in accordance with law, within a period of two weeks thereafter.

6. This Writ Petition stands disposed of with the above direction. No costs.

Index : Yes/No
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To

01.12.2022

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2.The Tahsildar,
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V.BHAVANI SUBBAROYAN, J.

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Order made in
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