



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.03.2022

CORAM:

THE HONOURABLE **MR. JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.14034 of 2017

and

W.M.P.[MD]No.12069 of 2018

WEB COPY

N.Banumathi

... Petitioner

/Vs./

1. The Revenue Divisional Officer,
Collectorate Office,
Madurai.

2. The Tahsildar,
Madurai South Taluk,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 2nd Respondent to issue a Certificate to the effect that the petitioner's husband, Nagalingam @ Rajendran is one and the same person, based on the petitioner's representation dated 24.07.2017.

For Petitioner	: Mr.M.S.Suresh Kumar
For Respondents	: Mr.M.Lingadurai Special Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the second respondent to issue a Certificate to the effect that the petitioner's husband, Nagalingam @ Rajendran is one and the same person, based on the petitioner's representation dated 24.07.2017.

2.The petitioner has sought for compassionate appointment for her children, due to the death of her husband, Nagalingam @ Rajendran on 12.02.2017, while in service. According to the petitioner, her husband is having two names, Nagalingam and Rajendran and both the names Nagalingam and Rajendran are one and the same. In some of the records, he is named as "Nagalingam" and in some of the official records, he is named as "Rajendran". In such circumstances, she has given a representation on 24.07.2017 to the second respondent requesting for a certificate declaring that Nagalingam and Rajendran are one and the same person. Since the representation has not been considered till date, the petitioner has filed this writ petition.



3.Heard Mr.M.S.Suresh Kumar, learned Counsel for the writ petitioner and Mr.M.Lingadurai, learned Special Government Pleader appearing on behalf of the respondents.

4.The learned Special Government Pleader appearing on behalf of the respondents, on instructions, would submit that the second respondent does not have authority to issue a certificate as sought for by the petitioner under her representation dated 24.07.2017. However, according to the petitioner, the said certificate can be granted.

5.No prejudice would be caused to the respondents, if the representation of the petitioner dated 24.07.2017 is considered on merits and in accordance with law, after hearing the petitioner.

6.Accordingly, this Court directs the second respondent to consider the petitioner's representation dated 24.07.2017 requesting for a certificate stating that her husband, Nagalingam @ Rajendran is one and the same person and pass final orders, on merits and in accordance with law, after affording a fair hearing to the petitioner, including granting her the right of personal hearing, within a period of twelve [12] weeks from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The Revenue Divisional Officer,
Collectorate Office, Madurai.

2. The Tahsildar,
Madurai South Taluk, Madurai.

+1 CC to M/s.M.S.SURESH KUMAR, Advocate (SR-15751[F] dated 31/03/2022)

+1 CC to M/s.SPL GP (SR-15716[F] dated 31/03/2022)

W.P. [MD]No.14034 of 2017

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