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W.P.No.581 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2023

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

W.P.No.581 of 2023 and
W.M.P.No.8878 of 2023

Beaula

... Petitioner

Vs.

The Tahsildar
Mambalam Taluk,
West Jaffer Khanpet,
Chennai – 600 083.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent herein to consider the petitioner's representation dated 18.10.2022 followed up by the reminder dated 13.12.2022, and there by directing the respondent to issue a certificate by certifying the petitioner's full name (viz.,) A.Beaula Helina Rubavathay (as mentioned in the Sl.No.3 of the Legal Heirship Certificate in D.Dis (D1) 37556/03, dated 04.11.2003, and in Sl.No.2 of the Legal Heirship Certificate in R.Dis.D1/2258/2014, dated 02.04.2014) and the petitioner's present name (viz.,) Beaula (as mentioned in the government records) is one and the same person.

For Petitioner : Mr.R.Srinivasalu

For Respondent : Mr.U.Baranidharan
Additional Government Pleader



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ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the respondent herein to consider the petitioner's representation dated 18.10.2022 followed up by the reminder dated 13.12.2022, and there by directing the respondent to issue a certificate by certifying the petitioner's full name (viz.,) A.Beaula Helina Rubavathay (as mentioned in the Sl.No.3 of the Legal Heirship Certificate in D.Dis (D1) 37556/03, dated 04.11.2003, and in Sl.No.2 of the Legal Heirship Certificate in R.Dis.D1/2258/2014, dated 02.04.2014) and the petitioner's present name (viz.,) Beaula (as mentioned in the government records) is one and the same person.

2. It is the case of the petitioner that her father S.Arthur Arul Dharmaraj namely expired on 10.09.2003 leaving behind the petitioner and other legal heirs. Subsequently, the Legal Heriship Certificate was issued by the respondent on 04.11.2003, mentioning the full name of the petitioner as A.Beaula Helina Rubavathy. Thereafter, petitioner's younger sister and mother expired leaving behind the petitioner and her elder sister. Since all the Government records reflects the name of the petitioner as A.Beaula and not as A.Beaula Helina Rubavathy, the petitioner made a representation dated



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18.10.2022 before the respondent to issue a certificate certifying the full name of the petitioner viz., A.Beaula Helina Rubavathy as mentioned in the legal heir certificate and the present name as mentioned in all the Government Records viz. A.Beaula are one and the same person. Since the same was not considered, the petitioner again sent a reminder representation dated 13.12.2022 to the respondent. But the said representation remained unanswered. Hence, the present writ petition.

3. Though the petitioner filed W.M.P.No.8878 of 2023 seeking to fix an early date for hearing of the present writ petition, she is consented for the disposal of the main writ petition itself.

4. Though very many grounds have been raised in the present writ petition, it would suffice if this Court issues a direction to the respondent to consider the petitioner's representation dated 18.10.2022 and the reminder representation dated 13.12.2022 and pass appropriate orders within the time frame that may be fixed by this Court.

5. Learned counsel appearing for the respondent has no objection for



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the said order being passed.

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6. Heard learned counsel appearing on either side and perused the materials placed on record.

7. Considering the facts and circumstances of the case, this Court, without going into the merits of the case directs the respondent to consider the petitioner's representation dated 18.10.2022 and the reminder representation dated 13.12.2022 and pass appropriate 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.

8. This writ petition is accordingly disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No

Speaking order / Nonspeaking order

Neutral Citation Case : Yes / No

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To

The Tahsildar
Mambalam Taluk,
West Jafferkhanpet,
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M.DHANDAPANI, J.

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