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W.P.No.1168 of 2023
7.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **07.02.2023**

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.1168 of 2023

S.Saravanan

... Petitioner

versus

1 The District Collector
Tiruvallur District
Tiruvallur-602 001.

2 The Tahsildar
Uthukottai Taluk
Tiruvallur District-602 026.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Certiorarified Mandamus calling for the entire records relating to the impugned orders passed by the 2nd respondent vide his proceedings in Memo Na.Ka.No.1175/2022/B7 dated 30.09.2022 and quash the same and consequently direct the 2nd respondent to issue a Certificate to the petitioner to the effect that the names Sundarraaj and Sundararajan refers on and the same person considering various public documents submitted by the petitioner within the time fixed by this Honorable Court.

For the Petitioner : Mr.K.Premkumar

For the Respondents : Mr.S.J.Mohammed Sathik,
Government Advocate



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ORDER

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The writ petition has been filed in the nature of certiorarified mandamus seeking interference with an order of the second respondent dated 30.09.2022 in Na.Ka.No.1175/2022/B7.

2. The father of the petitioner is Sundarraaj. He was also known as Sundararajan. He died intestate on 06.03.2021 at Thumbakkam Village, Tiruvallur District. He had left behind his legal heirs namely his wife/mother of the petitioner, daughter, children of pre-deceased son and also the petitioner and also two other daughters.

3. The petitioner seeks a certificate that the father's name namely Sundarraaj and Sundarrarajan refer to the same person. The impugned order had been passed indicating that there is no provision to issue such a certificate. But Learned counsel for the petitioner had drawn reference to a certificate issued by the Tahsildar at Gummudipundi which is only a certificate which states that the person residing in that particular village is called and gives the two names of that particular individual. In this instance, the petitioner



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seeks that the name should be given as Sundarraaj and also as Sundararajan as the resident of Thumbakkam Village, Tiruvallur District , who had died on 06.03.2021.

4. The impugned order is set aside since there need not any reference to a Government Order. A certificate to be issued on satisfaction of the Village Administrative Officer and then putting it up for further consideration before the Tahsildar.

5. Let necessary enquiry be conducted by the Village Administrative Officer of the village where the petitioner's father resided and let him put up that particular report before the jurisdictional Tahsildar and let a similar certificate as is shown by the petitioner be issued by the second respondent herein.

6. A direction is given that such certificate should be issued on or before 10.03.2023. The petitioner may give a fresh representation and also enclose a copy of the certificate which he had filed for reference along with writ petition.



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7. Fresh representation may be given to the second respondent and copy may be marked to the Village Administrative Officer.

8. Writ petition stands disposed of. No costs.

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Index: Yes/no
mrn

To

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C.V.KARTHIKEYAN, J.
(mrn)

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