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W.P.No.8164 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No. 8164 of 2023

Gowri

... Petitioner

Vs.

1. The District Collector,
Kancheepuram District.

2. The Revenue Divisional Officer,
Sriperumbudur,
Kancheepuram District.

3. The Tahsildar,
Sriperumbudur,
Kalakurichi District.

4. S.Lakshmi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 10.05.2022 and consequently, direct the respondents 1 to 3 to rectify the defects and issue fresh legal heirs certificate to the petitioners including all the legal heirs of late M.Govindanaicker.

For Petitioner : Mr.S.N.Subramani

For Respondents : Mr.E.Veda Bagathsingh, SGP RR1 to 3

ORDER



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Mr.E.Veda Bagathsingh, learned Special Government Pleader, takes notice for the respondents 1 to 3. By consent of both the parties, the writ petition is taken up for final disposal at the time of admission stage itself.

2. The Writ Petition has been filed seeking a direction to the respondents to consider the representation of the petitioner dated 10.05.2022 and consequently, direct the respondents 1 to 3 to rectify the defects and issue fresh legal heirs certificate to the petitioners including all the legal heirs of late M.Govindanaicker.

3. It is the grievance of the petitioner that the petitioners father viz., Govindanaicker died on 23.10.2003 leaving behind the petitioner and other legal heirs. One of her sister Lakshmi using forged documents and misrepresented before the third respondent and obtained legal heir certificate as she is the only legal heir of the petitioners father. Therefore, the petitioner made a representation before the respondents on 15.11.2021 seeking to include the name of the petitioner and other legal heirs and the same was not considered. Hence, the present writ petition.



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4. The learned counsel for the petitioner submitted that this Court may issue a direction to the second respondent to consider the petitioner's representation and pass appropriate orders within the stipulated time as fixed by this Court.

5. On the other hand, the learned Special Government Pleader submitted that the third respondent will be considered the representation made by the petitioner and appropriate orders will be passed on merits within the time frame to be fixed by this court.

6. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing on behalf of the respondents and perused the materials available on record. Since no adverse orders are passed against the 4th respondent and hence, her presence is dispensed with.

7. Considering the facts and circumstances of the case and having regard the submissions made by the learned counsel on either side, the third respondent is directed to consider the representation made by the



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petitioners' dated 10.05.2021, after providing opportunity to the necessary parties, and pass orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

8. With the above direction, the writ petition stands disposed of. No costs.

16.03.2023

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Index : Yes/No
Internet : Yes/No

To

1. The District Collector,
Kancheepuram District.

2. The Revenue Divisional Officer,
Sriperumbudur,
Kancheepuram District.

3. The Tahsildar,
Sriperumbudur,
Kalakurichi District.

M.DHANDAPANI,J

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