



WEB COPY



W.P.No.8618 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.8618 of 2023

and

W.M.P.No.8790 of 2023

S.Dhanabakkam

.. Petitioner

Vs.

1. The District Collector,
Tiruvallur District,
Tiruvallur

2. The Tahsildar,
Poonamallee Taluk,
Tiruvallur District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the online rejection order passed by the 2nd respondent on 28.01.2022 vide application No.TN-7202201282453 and quash the same consequently direct the 2nd respondent to conduct proper enquiry by giving opportunity to the petitioner and to issue the legalheirs certificate to the petitioner as a legal heir of deceases Antony Pichai @ Pichaiammal who died on 09.05.1995.



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For Petitioners : M/s.R.Govindasamy
For Respondents : Mr. E.Veda Bagath Singh,
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the rejection order dated 28.01.2022 which came to be passed by the 2nd respondent and for a direction to the 2nd Respondent to issue a legal heirship certificate in respect of the deceased mother of the petitioner after conducting proper enquiry and after affording an opportunity of personal hearing to the petitioner.

2. Mr. E.Veda Bagath Singh, learned Special Government Pleader takes notice for Respondents.

3. It is the case of the petitioner that the petitioner's mother died on 09.05.1995, pursuant to which, the petitioner made an application through online on 28.01.2022 for issuance of legal heirship certificate in respect of her deceased mother, however the same was rejected without stating the



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basis for rejection of the petitioner's application. As against the said rejection order, the present Writ Petition has been filed.

4. Learned counsel for the petitioner submits that no reason has been specified in the impugned order as to why the petitioner's claim was rejected. The present impugned order of the 2nd respondent being bereft of any reason, this Court may issue a direction to the 2nd respondent to state the reason for rejection of the petitioner's application so as to enable the petitioner to file an appeal before the Revenue Divisional Officer as against the said rejection order.

5. Learned Special Government Pleader appearing for the Respondents submits that a speaking order will be passed by the 2nd respondent stating the reason for rejection of the petitioner's claim and the same will be communicated to the petitioner.

6. Though this Writ Petition has been filed seeking larger relief, however, in view of the limited relief sought for by the petitioner and on perusal of the impugned order of the 2nd respondent, this Court without



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going into the merits of the case, directs the 2nd respondent to pass a speaking order stating the reason for rejecting the claim of the petitioner and communicate the same to the petitioner. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

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

20.03.2023

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Index : Yes / No

Internet : Yes / No



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To

1. The District Collector,
Tiruvallur District,
Tiruvallur
2. The Tahsildar,
Poonamallee Taluk,
Tiruvallur District.



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M.DHANDAPANI, J.

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