



W.P.No.11917 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2023

CORAM :

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

W.P.No.11917 of 2023

Pandiyammal

... Petitioner

Vs.

1.The District Collector,
Erode District.

2.The District Revenue Officer,
District Collector Office Compound,
Erode District.

3.The Revenue Divisional Officer,
Gobichettipalayam,
Erode District.

4.The Revenue Tahsildar,
Anthiyur Taluk,
Erode District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the second respondent to consider and dispose of the petitioner's revision petition No.Na.Ka.8219/2022/K3 dated 26.05.2022 on his file, in accordance with law within a time limit to be fixed by this Court.



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For Petitioner : Mr.M.Vijaya Ragavan
For Respondents : Mr.S.Jayachandran
Government Advocate

ORDER

The Writ Petition is filed seeking for a Writ of Mandamus, to direct the second respondent to consider and dispose of the petitioner's revision petition No.Na.Ka.8219/2022/K3 dated 26.05.2022 on his file, in accordance with law, within a time limit to be fixed by this Court.

2. The case of the petitioner is that she married one Kaliyanna Gounder on 19.11.2006 and she is the second wife of Kaliyanna Gounder. The first wife of Kaliyanna Gounder, namely Valliammal died on 02.05.2004 and the petitioner married the said Kaliyanna Gounder on 19.11.2006 and the said Kaliyanna Gounder died on 29.04.2021. The said Kaliyanna Gounder had no children either through his first wife or the petitioner and the petitioner is the only legal heir of the said Kaliyanna Gounder. Based on the application of the petitioner, the legal heir certificate dated 21.10.2021 was issued to the petitioner. However, without issuing any notice, the third respondent cancelled the said



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certificate vide order dated 19.01.2022, against which, the petitioner preferred an appeal before the first respondent and the first respondent vide its proceedings dated 01.04.2022 remanded the matter back to the third respondent for fresh consideration. Pursuant to which, the third respondent has passed an order dated 12.05.2022 cancelling the legal heir certificate issued in favour of the petitioner. Against which, the petitioner preferred a revision petition before the second respondent and the revision petition is pending for more than a year without any orders being passed. The final enquiry was held on 30.03.2023, but no order has been passed. In view of the cancellation of the petitioner's legal heir certificate, her family card has been blocked and the orders in the revision petition are very much essential for the purpose of the petitioner to have her family card. Therefore, the petitioner filed the above Writ Petition before this Court seeking disposal of the petitioner's revision petition.

3. Though very many grounds have been raised in the above writ petition, the learned counsel for the petitioner submits that, it would suffice, if this Court issues a direction to the second respondent to consider and dispose of the petitioner's revision petition



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No.Na.Ka.8219/2022/K3 dated 26.05.2022, within a time frame that may be fixed by this Court.

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4. The learned Government Advocate appearing for the respondents submits that, he has no objection for the said order being passed.

5. In view of the aforesaid submissions, this Court, without going into the merits of the case, directs the second respondent to consider and dispose of the petitioner's revision petition No.Na.Ka.8219/2022/K3 dated 26.05.2022, on merits and in accordance with law, after providing opportunity to necessary parties, within a period of four (4) weeks from the date of receipt of a copy of this order.

6. With the above directions, the Writ Petition is disposed of. No costs.

20.04.2023

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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M.DHANDAPANI, J.

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