



W.P.No.12876 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2023

CORAM

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

W.P.No.12876 of 2023

Sankari

...Petitioner

Vs.

1. The District Collector,
Kancheepuram District, Kancheepuram.
2. The Revenue Divisional Officer,
Kancheepuram District, Kancheepuram.
3. The Tahsildar,
Kancheepuram District, Kancheepuram.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd respondent to include Petitioner's name in legal heirship certificate of her adopted father Late Munusamy who died on 18-10-1997 based on the representation dated 05.04.2023.

For Petitioner : Mr.R.Parthiban

For Respondents : Mr.M.Alagu Goutham, GA



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ORDER

The petitioner has filed this Writ petition seeking issuance of a Writ of Mandamus to direct the 3rd respondent to consider the petitioner's representation dated 05.04.2023 and to consequently include the petitioner's name in the Legal heirship certificate of her adopted father namely, Late. Munusamy.

2. Mr.M.Alagu Goutham, learned Government Advocate takes notice on behalf of the respondents. In view of the consent expressed by the learned counsel on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that she is the adopted daughter of here father Late.Munusamy. After the demise of her father, the petitioner and her brother namely Rajesh applied for issuance of Legal heirship certificate, however, as the same was not considered by the 3rd respondent. Aggrieved by the same, the petitioner's brother filed a Writ petition in W.P.No.10022 of 2019 and pursuant to the order of this Court dated 04.04.2019, the 3rd respondent issued legal heirship certificate in favour of the petitioner's



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brother, however, the petitioner's name was not found in the same.

Immediately, the petitioner made a representation dated 31.08.2021 before the 3rd respondent seeking to include the petitioner's name in the Legal heirship certificate, which evoked no response. Aggrieved by the inaction on the part of the 3rd respondent, the petitioner made another representation dated 05.04.2023, however, till date, no orders have been passed on the same. Hence, this Writ petition.

4. Though very many grounds have been raised, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the 3rd respondent to consider the petitioner's representation dated 05.04.2023 and issue Legal Heirship certificate to the petitioner as expeditiously as possible.

5. Learned Government Advocate appearing for the respondents has no serious objection for the said order being passed.

6. Considering the limited request made by the learned counsel for the petitioner, this Court without expressing any opinion on the merits of the



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case, directs the 3rd respondent to consider the petitioner's representation dated 05.04.2023 on merits and in accordance with law and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioner and aggrieved persons, if any.

7. Accordingly, this Writ petition stands disposed of. No costs.

27.04.2023

skt

Speaking Order : Yes/ No

Index : Yes/ No

To

1. The District Collector,
Kancheepuram District, Kancheepuram.

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2. The Revenue Divisional Officer,
Kancheepuram District, Kancheepuram.
3. The Tahsildar,
Kancheepuram District, Kancheepuram.

M.DHANDAPANI., J.

skt

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