



WEB COPY



W.P.No.15420 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.15420 of 2023

C.Chakrapani

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Arakkonam,
Ranipet District.

2.The Tahsildar,
Arakkonam Taluk,
Arakkonam,
Ranipet District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to dispose of the appeal dated 15.11.2022, pending on the file of the 1st respondent.

For Petitioner : Mr.P.Krishnan

For Respondents : Mr.S.Balamurugan
Government Advocate



W.P.No.15420 of 2023

WEB COPY

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the first respondent to dispose of the appeal dated 15.11.2022, pending on the file of the first respondent.

2. Mr.S.Balamurugan, learned Government Advocate accepts notice for the respondents. In view of the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that, his father Sriramalu Naidu married one Kanniammal in the year 1961. Later, he married her sister namely Saradammal in the year 1964. Out of the said wedlock between Sriramalu Naidu and Kanniammal, Rambai, Chakrapani, the petitioner herein and Latha were born to them. Thereafter, the petitioner's father died in the year 1992 and the petitioner's mother Kanniammal died in the year 2013. On 31.03.1993, the second respondent issued a legal heir certificate of the petitioner's father including the names of Kanniammal, Saradhammal and the petitioner herein. Inadvertently, omitted the other legal heirs, who



W.P.No.15420 of 2023

are the sisters of the petitioner, namely Rambhai, Latha, Kanchanadevi and Vimala and also wrongly mentioned that the petitioner is the son of second wife Saradhammal. Thereafter, on 01.10.2020, the second respondent issued another legal heir certificate including the names of the petitioner and his sisters namely Rambhai and Latha as legal heirs. For cancellation of the legal heir certificate dated 31.03.1993 issued by the second respondent, the petitioner and others have filed an appeal dated 15.11.2022 before the first respondent. Since the same was not disposed of by the first respondent, the petitioner filed the above writ petition before this Court.

4. The learned counsel for the petitioner would submit that, it would suffice, if this Court issues a direction to the first respondent to dispose of the appeal dated 15.11.2022 filed by the petitioner and others, within a time frame that may be fixed by this Court.

5. The learned Government Advocate appearing for the respondents has no objection for said order being passed.



WEB COPY



W.P.No.15420 of 2023

M.DHANDAPANI, J.

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6. In view of the aforesaid submissions, this Court, without going into the merits of the case, directs the first respondent to dispose of the appeal dated 15.11.2022 filed by the petitioner and others, within a period of six (6) weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to all the necessary parties.

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

02.06.2023

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes / No

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To

1.The Revenue Divisional Officer,
Arakkonam,
Ranipet District.

2.The Tahsildar,
Arakkonam Taluk,
Arakkonam,
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W.P.No.15420 of 2023