



W.P.No.14606 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.05.2023

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

W.P.No.14606 of 2023

C.Sivakumar

.. Petitioner

VS

1.The District Collector,
Salem District, Salem.

2.The Revenue Divisional Officer,
Sankari, Salem District.

3.The Tahsildar,
Sankari, Salem District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the second respondent to cancel the legal heir certificate by the 3rd respondent vide proceedings No.4809/2017/A dated 23.11.2017 by considering the representation of the petitioner dated 21.03.2023 and conduct proper enquiry.

For Petitioner : Mr.D.Balachandran

For Respondents : Mr.C.Kadhiravan,
Special Government Pleader



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ORDER

Seeking a writ of mandamus directing the second respondent to cancel the legal heir certificate issued by the third respondent vide proceedings No.4809/2017/A dated 23.11.2017 and to consider the representation of the petitioner dated 21.03.2023 for conducting proper enquiry, the present writ petition has been filed.

2. Learned counsel for the petitioner submitted that the wife of the petitioner died on 14.04.2000 and the petitioner is the sole legal heir as they have no issues. Subsequently, the petitioner's brother-in-law died on 15.11.2015 leaving behind his wife and daughter as his legal heirs. The parents of the petitioner's wife also died in the years 2017 and 2021 respectively. Since the petitioner's wife and her brother predeceased their parents, the petitioner and the wife and daughter of petitioner's brother-in-law became the legal heirs of the parents of the petitioner's wife. However, in the legal heirship certificate dated 23.11.2017 issued by the Tahsildar, the name of the petitioner has been left out. Therefore, the petitioner has given a representation dated 21.03.2023 to the



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respondents. Since no action has been taken on the said representation, the petitioner has filed the present writ petition for the aforesaid relief.

3. Mr.C.Kadhiravan, learned Special Government Pleader, who accepts notice on behalf of the respondents would submit that, if six weeks' time is granted, the second respondent will consider the representation of the petitioner dated 21.03.2023 and pass appropriate orders.

4. In the light of the aforesaid submission made by learned Special Government Pleader, without going into the merits of the matter, the writ petition is disposed of with a direction to the second respondent to consider the representation of the petitioner dated 21.03.2023 and pass appropriate 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. No costs.

05.05.2023

Index:Yes/No
Neutral Citation:Yes/No
ssm/mkn



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To:

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A.D.JAGADISH CHANDIRA,J.

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