



W.P.No.30807 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2023

CORAM :

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

W.P.No.30807 of 2019

M.Saraswathy

... Petitioner

Vs.

1.The District Collector,
Chennai District,
Chennai – 1.

2.The Tahsildar,
Mylapore Taluk,
No.46, Greenways Road Extension,
Bishop Garden, R.A.Puram,
Chennai – 600 028.

3.The Tahsildar,
Mambalam Taluk,
Bharathidasan Road,
Chennai – 600 083.

4.Maheshwari

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records of the second respondent dated 08.08.2019 made in his proceeding Moo.Mu.No.Aa4/3095/2019 and quash the same and consequently direct



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the second respondent to issue legal heir certificate for death of petitioner's mother namely L.Muniammal.

For Petitioners : Mr.S.Angamuthu

For Respondents : Mr.K.M.D.Muhilan

Additional Government Pleader [R1 to R3]

M/s.R.Thiagarajan [R4]

ORDER

This Writ Petition has been filed seeking for the issuance of a Writ of Certiorarified Mandamus, to call for the records of the second respondent dated 08.08.2019 made in his proceeding Moo.Mu.No.Aa4/3095/2019 and quash the same and consequently, to direct the second respondent to issue legal heir certificate for death of petitioner's mother namely L.Muniammal.

2.The case of the petitioner is that the petitioner's mother, namely L.Muniammal passed away on 15.04.2008. Hence, on 14.02.2019, the petitioner made an online application to the second respondent requesting for issuance of legal heir certificate and made a detailed representation on 22.07.2019. However, the second respondent has passed the impugned



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order dated 08.08.2019 vide proceedings Moo.Mu.No.Aa4/3095/2019 rejecting the petitioner's representation and directed the petitioner to approach the third respondent, since it falls under the territorial jurisdiction of the third respondent. Challenging the impugned order, the present writ petition is filed before this Court for appropriate directions.

3.Mr.S.Angamuthu, the learned counsel for the petitioner would submit that, this Court may permit the petitioner to make appropriate application before the third respondent and if such representation is made, the third respondent may be directed to consider the petitioner's representation and pass appropriate orders, within a time frame that may be fixed by this Court.

4.The learned Additional Government Pleader appearing for the respondents 1 to 3 and the learned counsel appearing for the fourth respondent have no objection for said order being passed.

5.In view of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case, directs the petitioner to



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make a fresh representation before the third respondent within a period of two weeks from the date of receipt of a copy of this order and if such representation is made, the third respondent is directed to consider the petitioner's representation and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the fourth respondent, within a period of four weeks thereafter.

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

20.03.2023

Index : Yes / No
Speaking order / Nonspeaking order
Netrual Citation Case : Yes / No
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M.DHANDAPANI, J.

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