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W.P.No.34735 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2023

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THE HON'BLE MR. JUSTICE C. V. KARTHIKEYAN

Writ Petition No.34735 of 2022

Mrs.M.M.Sajitha Fathima

... Petitioner

Versus

1. The State of Tamil Nadu,
Represented by the Secretary to the Government,
Department of Revenue and Disaster Management,
Chennai.
2. The Tahsildar,
Sholinganallur Taluk,
Chennai.
3. Village Administrative Officer,
Sholinganallur Taluk,
Chennai.
4. The Revenue Inspector,
Sholinganallur Taluk,
Chennai.
5. The Revenue Divisional Officer,
Chennai South,
Guindy, Chennai 600 032.



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6. The District Collector,
Fourth Floor, M. Singaravelar Maaligai,
62, Rajaji Salai,
Chennai Collectorate,
Chennai 600 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 5th respondent to consider and dispose the appeal filed by the petitioner on 23.11.2022 as expeditiously as possible.

For Petitioner : Mr.Thriyambak J.Kannan

For Respondents : Mr.U.Baranidaran,
Additional Government Pleader

ORDER

The Writ Petition has been filed in the nature of a Writ of Mandamus, seeking a direction to the 5th respondent/the Revenue Divisional Officer at Chennai South, Guindy, to consider the application of the petitioner which had been filed seeking Legal Heirship Certificate with respect to deceased Mohammed Meeran, who died on 29.03.2018.

2. The petitioner is one of the daughters. She had earlier filed an application on 02.11.2022 and the same was rejected by the 2nd



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respondent/the Tahsildar, Sholinganallur Taluk, Chennai. The petitioner had filed an appeal on 23.11.2022, which is now pending before the 5th respondent.

3. One of the reasons for rejection of the said application was that there was an earlier Writ Petition filed by the petitioner herein which was pending, but the learned counsel states that the said Writ Petition had been withdrawn. Therefore the authority can now proceed to hear the issue on merits.

4. One of the brothers of the petitioner, Mr.Mohammed Ali appears to have raised objections.

5. It would only be advisable that the 5th respondent before taking any decision, also issue notices to the said Mohammed Ali and also to the other sisters of the petitioner and also to the wife or any other interested person and then take a decision in accordance with the circular, which had been issued in G.O.Ms.No.478, dated 29.09.2022. The said exercise of the 5th respondent may be commenced and completed on or before



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6. With the said observations, the Writ Petition stands disposed of.

No order as to costs.

02.01.2023

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Index : Yes/No

Internet : Yes/No

To:

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C. V. KARTHIKEYAN,J.

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