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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP (MD)No.27630 of 2022

Pachimuthu

... Petitioner

v.

1.The Tahsildar,
Sankarankovil,
Tenkasi District.

2.The Village Administrative Officer,
Vadakku Panavadalichathiram,
Tenkasi District.

3.Lakshmiammal

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue Writ of Mandamus directing the first respondent to take steps to issue legal heir certificate to the petitioner based on the representation dated 12.11.2022.

For Petitioner : Mr.N.Kamesh

For Respondents : Mr.M.Lingadurai,
Special Government Pleader
for R1 & R2

R3-No appearance



COMMON ORDER

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Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents 1 and 2. Service on the third respondent is yet to be completed. She has not chosen to enter appearance.

2. One Shanmugayya Thevar, the father of the petitioner passed away on 10.05.2021. The case of the petitioner is that he and the third respondent are the only surviving legal heirs and that others are no more. The grievance of the petitioner is that his sister is not cooperating for obtaining legal heir certificate. The first respondent is insisting that application must be submitted through online mode. The system will accept the application only if all the relevant documents are furnished. The petitioner's sister is refusing to part with her document. Therefore, the petitioner is unable to submit the application through online mode. This is the peculiar situation faced by the petitioner and there is no scope for online submission of application.

3. Considering the special facts and circumstances of the case, the petitioner is permitted to submit an application in person before the first respondent. The first respondent will hold an enquiry and pass final orders on merits and in accordance with law on the petitioner's



application within a period of twelve weeks from the date of receipt of copy of this order after the receipt of the application in person.

3.This writ petition is disposed of. No costs.

05.01.2023

Index : Yes / No
Internet : Yes/ No
SKM

To:

- 1.The Tahsildar,
Sankarankovil,
Tenkasi District.
- 2.The Village Administrative Officer,
Vadaku Panavadalichathiram,
Tenkasi District.



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G.R.SWAMINATHAN, J.

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