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W.P.No.14418 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.05.2024

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

W.P.No.14418 of 2024

Mr.K.Kalaivanan

.. Petitioner

vs.

- 1.The Additional Chief Secretary,
Commissioner of Revenue Administration,
Fort St.George,
Secretariat, Chennai – 600 009.
2. The District Collector,
Chennai.
3. The Revenue Divisional Officer,
North Chennai,
Tiruvottiyur High Road,
Tondiarpet, Chennai – 600 081.
4. The Tahsildar,
Raja Muthaiah Salai,
(Old Fort Tondiarpet Taluk Office)
Purasaiwakkam, Chennai – 600 003.
5. The Director,
Tamil Nadu Medical Education Department,
Office of the Institute of Thoracic Medicine,
Chetpet, Chennai – 600 031.

..Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 4 herein to issue class – II legal heir ship certificate in favour of the petitioner herein by appointing him as surviving legal heir of his deceased sister namely Mrs.V.Varalakshmi, as per the Government order in G.O.Ms.No.478, Revenue and Disaster Management, Revenue Administration Wing, RA -3(2) Section dated 29.09.2022.

For Petitioner : Mr.M.Jothi Kumar

For Respondents : Mr.Habeeb Rahman
Government Advocate

ORDER

With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The writ petitioner seeks for issuance of a writ of mandamus, directing the respondents 1 to 4 herein to issue class – II legal heir ship certificate in favour of the petitioner herein by appointing him as surviving legal heir of his deceased sister namely Mrs.V.Varalakshmi, as per the Government order in G.O.Ms.No.478, Revenue and Disaster Management, Revenue Administration Wing, RA -3(2) Section dated 29.09.2022.



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3. The petitioner states that he has a younger sister by name V.Varalakshmi. She suffered an accident on 07.07.2019 and unfortunately, went to meet her maker. The petitioner's father Kuppuswamy and mother have already predeceased the petitioner and Varalakshmi. The other brother Jaishankar also passed away in the year 1999. Therefore, according to the petitioner, he is the only legal heir, who succeeds to the estate of Varalakshmi. He filed an application for grant of legal heir ship certificate on 06.10.2022. The fourth respondent Thasildar, Pursaiwakkam Taluk, has not passed an order on the same. Hence, this writ petition.

4. Mr.Habeeb Rahmam, learned Government Advocate, takes notice for the respondents. He would state that the fourth respondent Thasildar will pass an order within a period of four weeks after making such enquiries as are necessary as per G.O.(Ms.)No.110, Revenue and Disaster Management, Revenue Administration Wing, RA-3(2) Section, dated 13.03.2024.



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5. The said submission is recorded. The fourth respondent Thasildar is directed to dispose of the application seeking for legal heirship certificate within a period of four (4) weeks from the date of receipt of a copy of this order.

Accordingly, this Writ Petition is disposed of. No costs.

30.05.2024

Index:Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation: Yes/No
gm/mp

To

1. The Additional Chief Secretary,
Commissioner of Revenue Administration,
Fort St.George,
Secretariat, Chennai – 600 009.
2. The District Collector,
Chennai.
3. The Revenue Divisional Officer,
North Chennai,
Tiruvottiyur High Road,
Tondiarpet, Chennai – 600 081.



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4. The Tahsildar,
Raja Muthaiah Salai,
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5. The Director,
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V. LAKSHMINARAYANAN, J.

gm/mp

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