



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 16.07.2024

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.18967 of 2024

B.Sathyakumari

... Petitioner

Vs

The Tahsildar,
Velacherry Taluk,
Chennai District.

.... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to issue the legal heir certificate of Balan who died on 20.11.2020 to the petitioner based on the representation dated 22.04.2024 forthwith.

For Petitioner

: Mr.M.Nagoor Moideen

For Respondent

: Mr.R.Neelakandan

Additional Advocate General

assisted by Mr.U.Baranidharan

Additional Government Pleader

ORDER

Mr.U.Baranidharan, learned Additional Government Pleader accepts notice for respondents and is represented by Mr.R.Neelakandan, learned Additional Advocate General. They state that a mandamus would not lie



W.P.No.18967 of 2024

insofar as the application of the petitioner seeking issuance of legal heirship certificate has already been rejected by order dated 22.04.2024.

2. A copy of the order is also circulated, which reveals that there was an inspection caused by the Revenue Inspector and based on the reports that were obtained as well as objections on the ground that the deceased has three wives, the application was rejected.

3. It is unclear as to whether the reports of the Headquarters Deputy Tahsildar, the Revenue Inspector and the objection received (as stated in the order of rejection) have been supplied to the petitioner.

4. Be that as it may, insofar as the order has come to be passed, as pointed out by the learned counsel for the respondents, mandamus cannot be issued and as a representation would have no effect at this stage. It would hence be more appropriate for the petitioner to file an appeal in terms of clause (7) of Annexure to G.O.Ms.No.478 dated 29.09.2022 before the Revenue Divisional Officer within the timeline stipulated in the Government Order.

5. Learned counsel for the respondents have supplied a copy of Government Order dated 29.09.2022 to the learned counsel for the petitioner in order that the petitioner may take due action.

6. Appeal, if and when filed, shall be taken up by the Revenue Divisional Officer. He will ensure that necessary enquiries will be caused, result of the



W.P.No.18967 of 2024

enquiries are put to the petitioner and objection, if any, considered. Thereafter, orders will be passed after giving the petitioner due opportunity of hearing in person, expeditiously.

7. In light of the above, this Writ Petition is closed. No costs.

16.07.2024

Index : Yes / No
Speaking order
Neutral citations: Yes
sl

To

The Tahsildar,
Velacherry Taluk,
Chennai District.



WEB COPY



W.P.No.18967 of 2024

Dr.ANITA SUMANTH,J.

SI

W.P.No.18967 of 2024

16.07.2024