



WEB COPY

W.P.No.18542 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2024

CORAM

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**

W.P.No.18542 of 2024
and WMP No.20325 of 2024

Choodamma

... Petitioner

Vs

1 The Sub Collector
Hosur, Krishnagiri District.

2. The Tahsildar,
Hosur Taluk, Krishnagiri District.

.... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus call for the records pertaining to the impugned order of the 2nd respondent dated 28.03.2024 and quash the same as illegal, incompetent and ultravires and consequently direct the respondents to issue legal heirship certificate of the petitioner's father Late Mr.Kempaiah to the petitioner.

For Petitioner : Mr.R.Jayaprakash

For Respondents : Mr. U.Baranidharan
Additional Government Pleader

ORDER



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Mr.U.Baranidharan, learned Additional Government Pleader

accepts notice for the respondents and is armed with instructions to enable a final disposal of this Writ Petition, even at the stage of admission.

2. The petitioner is aggrieved by the order of R2, Tahsildar, Hosur Taluk dated 28.03.2024 rejecting the plea for issuance of legal heirship certificate of late Mr.Kempaiah, who she claims is his father.

3. The only reason set out in the non-speaking order is that an objection is raised and hence the application was rejected.

4. The entirety of the Writ Petition is however short-circuited by the written instructions dated Nil, signed on 11.07.2024 received by Mr.Baranidharan, wherein, it is stated that both the petitioner and the objector have been called for an enquiry on 19.07.2024 and the petitioner's request for issuance of a legal heirship certificate will be heard afresh and decided after hearing the parties.

5. In light of the same, impugned order dated 28.03.2024 is set aside. A copy of the written instructions is handed over to the learned counsel for the petitioner for onward transmission to the petitioner for appearance on 19.07.2024.

6. With this, R2 is directed to hear the petitioner, the objector and



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any others who may be deemed necessary for proper adjudication of the matter and dispose the application of the petitioner in accordance with law and all extant Rules and Regulations, within a period of six (6) weeks from date of receipt of a copy of this order.

7. This Writ Petition is disposed as above. No costs. Connected Miscellaneous Petition is closed.

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11.07.2024

Index:Yes/No

Speaking order:Yes

Neutral Citation:Yes

To

- 1 The Sub Collector
Hosur, Krishnagiri District.
2. The Tahsildar,
Hosur Taluk, Krishnagiri District.

Dr.ANITA SUMANTH,J.



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