



W.P.No.25857 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.09.2024

CORAM:

THE HON'BLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.25857 of 2024

Mrs.S.Lakshmi @ Lakshmi Chakrabani

..Petitioner

Vs.

1. The Tahsildar,
Guindy Taluk,
Formerly Mambalam-Guindy Taluk,
Guindy,
Chennai – 600 032.

2. The Tahsildar,
Avadi Taluk,
Avadi,
Chennai.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing either of the respondents herein to issue to me a fresh legal heirship certificate of my husband Mr.K.Shanmugam whose death occurred on 11.04.1994 at Anna Nagar, Chennai deleting the name of S.Shantakumari from the legal heir certificate dated 20.06.1994 issued by the Taluk Excise Officer (Tahsildar) Mambalam-Guindy Taluk, Chennai – 600 017 considering my request there for by way of my written representation dated 01.07.2024 addressed to the respondents.



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For Petitioner : Mr.S.Mohideen

For Respondents : Mr.U.Baranidharan, AGP

ORDER

This Writ Petition has been filed seeking to direct the respondents to consider the petitioner's representation dated 01.07.2024.

2. It is the case of the petitioner that her husband died on 11.04.1994. When the petitioner applied for the legal heir certificate, she came to know that the name of one Shantakumari, who is the daughter of the petitioner's sister was included in the legal heir certificate. Seeking to remove the name of said Shantakumari from the legal heir certificate dated 20.06.1994 and to issue a fresh legal heir certificate of the petitioner's husband, the petitioner made a representation dated 01.07.2024 before the respondents. However the same was not considered. Hence, the present petition has been filed seeking the aforesaid relief.

3. Though very many grounds have been raised in the present writ



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petition, learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the respondents to consider the petitioner's representation dated 01.07.2024 and pass appropriate orders within the time frame that may be fixed by this Court.

4. The Additional Government Pleader appearing for the respondents submits that though the petitioner has made an application seeking removal of the said name from the legal heir certificate before the respondents, however, the jurisdictional authority for removal of a name from the legal heir certificate vests with the Revenue Divisional Officer, South Chennai and if any such application is made before the Revenue Divisional Officer, South Chennai, the same will be considered in the manner known to law.

5. Heard the learned counsel appearing on either side and perused the materials placed on record.

6. In the light of the submission made by the learned Additional Government Pleader appearing for the respondents, this Court without



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going into the merits of the case directs the petitioner to make a fresh application before the Revenue Divisional Officer, South Chennai within a period of two weeks from the date of receipt of a copy of this order and if such application is made by the petitioner, the Revenue Divisional Officer, South Chennai shall conduct an enquiry and pass appropriate orders on merits and in accordance with law and after affording an opportunity of hearing to the petitioner as well as the aggrieved persons if any within a period of four weeks thereafter.

7. With the above observation and direction, this writ petition is disposed of. No costs.

05.09.2024

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Index	: Yes/No
Speaking order	: Yes/No
NCC	: Yes/No



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To:

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M.DHANDAPANI, J.

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