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W.P.No.32842 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2024

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THE HONOURABLE MR. JUSTICE S. SOUNTHAR

W.P No.32842 of 2024

S.Neelammal

...Petitioner

Vs.

1. The Collector of Nilgiris,
Ootacamend, The Nilgiris district.
2. The Revenue Divisional Officer,
Coonoor, The Nilgiris District.
3. The Tahsildar,
Kothagiri Taluk, The Nilgiris District.
4. Shanthi

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to expedite the enquiry in Na.Ka.A3/1535/2021 and cancel the legal heirship certificate in certificate No.TN-7202002282067 dated 07.03.2020 and in A2.R.Dis9158/2004 dated 04.11.2004 issued for the deceased N.Subramani within the time frame fixed by this Court.



W.P.No.32842 of 2024

For Petitioner : M/s. S.Vasavi Sridevi

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For R1 to R3 : Mr.R.Neelakandan,
Additional Advocate General
assisted by Mr.Sathish,
Additional Government Pleader

ORDER

The petitioner herein seeks a direction to the second respondent to expedite the enquiry in Na.Ka.A3/1535/2021 and cancel the legal heir ship certificate in certificate No.TN-7202002282067 dated 07.03.2020 and in A2.R.Dis9158/2004 dated 04.11.2004 issued for the deceased N.Subramani within the time frame fixed by this Court.

2. By consent of both the learned counsel appearing for the petitioner as well as respondents 1 to 3, this writ petition is disposed of at the admission stage itself.

3. It is the case of the petitioner that she is the legally wedded wife of Mr.Subramani and her husband died on 26.05.2004. It is further stated that the petitioner's husband had an extramarital affair with one Shanthi, who is the fourth respondent herein. After death of the petitioner's husband the legal



W.P.No.32842 of 2024

heirship certificate was issued on 04.11.2004 including the name of the petitioner and the fourth respondent. Subsequently, the fourth respondent obtained another legal heirship certificate on 07.03.2020, wherein the name of the petitioner was deleted. Aggrieved by the same, the petitioner submitted a representation before the second respondent seeking cancellation of legal heirship certificate issued in favour of the fourth respondent without mentioning the name of the petitioner. Based on the representation made by the petitioner, the second respondent initiated enquiry in his proceedings in Na.Ka.A3/1535/2021 dated 16.08.2024 and the said enquiry is pending on the file of the second respondent without any progress. Therefore, the petitioner is before this Court.

4. Mr.Sathish, learned Additional Government Pleader, who takes notice for the respondents 1 to 3 would submit that the enquiry initiated by the second respondent will be completed and final orders will be passed within a time frame fixed by this court.

5. In view of the above submission made by the learned Additional Government Pleader, without going into the merits of the claim made by the



W.P.No.32842 of 2024

petitioner, this Court is inclined to issue a direction to the second respondent to complete the enquiry initiated by him in his proceedings Na.Ka.A3/1535/2021 dated 16.08.2024 and pass final orders, after issuing notice to the petitioner as well as the fourth respondent and any other interested parties, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

11.11.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
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To

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W.P.No.32842 of 2024

S. SOUNTHAR, J.

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W.P No.32842 of 2024

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