



W.P(MD)No.31

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2024

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.31235 of 2023

V.Alagappan

..Petitioner

Vs

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Pudukkottai,
Pudukkottai District.

2.The Tahsildar,
Taluk Office,
Thirumayam,
Pudukkottai District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to issue the Death Certificate and Legal Heir Certificate of the petitioner's grandfather namely Lakshmanan Chettiar son of Karuppaiah Chettiar on the basis of the representation dated 27.09.2023.



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For Petitioner

:Mr.R.Sivalingam

For R1 & R2

:Mr.SRA.Ramachandran

Additional Government Pleader

ORDER

The Petitioner has filed this Writ Petition seeking a direction to the respondents to issue the Death Certificate and Legal Heir Certificate of the petitioner's grandfather namely Lakshmanan Chettiar son of Karuppaiah Chettiar.

2.Heard Mr.R.Sivalingam, learned Counsel appearing for the petitioner and Mr.SRA.Ramachandran, learned Additional Government Pleader appearing for the respondents.

3.The learned counsel appearing for the petitioner would submit that the petitioner's grand-father Karu.Lakshmanan Chettiar, Son of Karuppaiah Chettiar died on 13.11.1995 and he has got seven legal heirs. Since all the 7 legal heirs passed away, the death of his grandfather could not be registered in time. The petitioner is the son and legal heir of one Valliappan, who is the 5th son of the said Lakshmanan Chettiar. In these circumstances, some of the persons are tried to grab the agricultural properties of the said Lakshmanan Chettiar by fabricating the documents. Therefore, the petitioner has sent a representation to the respondents on 27.09.2023 seeking to issue a death



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certificate of his grandfather. Since the same was not considered, the present Writ Petition has been filed before this Court.

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4.The learned Additional Government Pleader appearing for the respondents submits that the first respondent is the competent authority for issuance of death certificate and hence, appropriate direction may be given to the first respondent to consider the petitioner's representation.

5. Considering the limited scope of the prayer sought for by the petitioner, without going into the merits of the matter, this Court directs the first respondent to consider the petitioner's representation dated 27.09.2023 and pass orders on merits and in accordance with law, within a period of twenty (20) weeks from the date of receipt of a copy of this order, after giving an opportunity of hearing to the legal representatives of the deceased.

6. With the above direction, the writ petition stands disposed of. No costs.

Index : Yes/No
Internet: Yes/No
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03.01.2024

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To
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Revenue Divisional Office,
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Pudukkottai District.

2.The Tahsildar,
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V.BHAVANI SUBBAROYAN, J.

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