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W.P.No.2954 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 30.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.2954 of 2025

Julia Mary Pushparaj

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Office of the RDO., Tambaram,
Chengalpattu District.

2. The Thasildar, office of the Thasildar,
Tambaram Taluk,
Chengalpattu District.

3. A.Arockia Clara

... Respondents

Prayer: Writ petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Mandamus directing the first respondent to dispose the petitioner's appeal dated 12.10.2024, pending on the file of the first respondent preferred against the refusal order of the second respondent dated 25.06.224 to issue legal heir certificate of the deceased J.Raaja, by virtue of the G.O.Ms.No.478, Revenue and Disaster Management, Revenue Administration Wing RA -3(2) dated 29.09.2022 and dispose the same within the time frame that may be fixed by this court.



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For Petitioner : Mr.S.Arokiamaniraj
For Respondents : Mr.R.Neelakandan, Addl.Adv.General
assisted by Mr.S.Balamurugan, Govt.Adv.
for respondents 1 and 2

ORDER

The writ petition is filed seeking a direction to the first respondent to dispose of the petitioner's appeal dated 12.10.2024, pending on the file of the first respondent.

2. The petitioner applied for issuance of legal heirs certificate on behalf of the minor son and minor daughter of the deceased Raaja, who is the son in law of the petitioner. The said application was rejected by the second respondent on the ground that the petitioner failed to mention the second wife of the deceased, namely the third respondent. It is the case of the petitioner that the third respondent is not the legally wedded wife of the deceased Raaja and hence, she filed an appeal before the first respondent on 12.10.2024 and the same has not been considered till date. Hence, the petitioner approached this court.



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3. Mr.R.Neelakandan, learned Additional Advocate General, assisted by Mr.S.Balamurugan, learned Government Advocate takes notice for respondents 1 and 2.

4. Since no adverse order is passed as against the third respondent, notice to the third respondent is dispensed with.

5. The learned Additional Advocate General appearing for the respondents 1 and 2 would submit that the appeal filed by the petitioner will be disposed of on its own merits and in accordance with law, within a time stipulated by this court.

6. In view of the submission made by the learned Additional Advocate General, without going into the merits of the claim made by the petitioner, this court is inclined to direct the first respondent to dispose of the appeal filed by the petitioner dated 12.10.2024 and pass final orders on its own merits, within a period of eight weeks from the date of receipt of copy of the order, after issuing notice to the petitioner and the third respondent.



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7. With the above direction, this writ petition is disposed of.

There shall be no order as to costs.

30.01.2025

Index:Yes/No

Internet:Yes/No

mst

To

1. The Revenue Divisional Officer,
Office of the RDO., Tambaram,
Chengalpattu District.
2. The Thasildar, office of the Thasildar,
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S.SOUNTHAR, J.

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