



W.P.(MD)No.4134 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.4134 of 2025

P.Rajkumar

... Petitioner

-VS-

The State of Tamil Nadu,
Represented by, The Tahsildar,
Madurai East Taluk,
Narasingam, Madurai District.

... Respondent

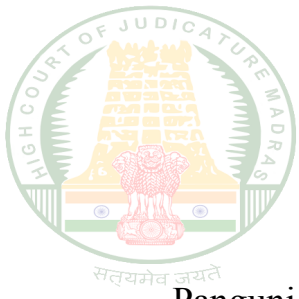
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to issue a legal heir certificate in favour of petitioner and his brother's name of petitioner's deceased small father namely, Panguni Andi Ambalam, S/o.Malaiyandi Ambalam, based on petitioner's application No.TN-720250205587, dated 05.02.2025, within a time frame as fixed by this Court.

For Petitioner : Mr.S.Balaji

For Respondent : Mr.K.S.Selvaganesan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the respondent to issue a legal heirship certificate of the petitioner's deceased small father namely,



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Panguni Andi Ambalam, S/o.Malaiyandi Ambalam in favour of the petitioner and his brother's name, based on his application No.TN-720250205587, dated 05.02.2025.

2. With the consent of both sides, this Writ Petition is disposed of, at the admission stage itself.

3. The learned counsel for the petitioner submits that the petitioner's small father, Panguni Ambalam, S/o.Malaiyandi Ambalam, passed away on 03.02.1989. After his demise, the petitioner submitted an application to the respondent on 05.02.2025, requesting the issuance of a Class-II Legal Heirship Certificate for his deceased father, Panguni Ambalam. However, the petitioner has not received any progress or response regarding the application. Therefore, the petitioner has approached this Court by way of the present writ petition, seeking appropriate directions for issuance of the Class-II Legal Heirship Certificate.

4. Heard both sides.

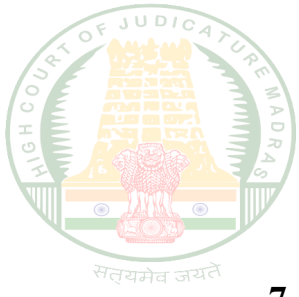


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5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of the India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the respondent herein to consider the petitioner's application dated 05.02.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of four weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondent to consider the same on its own merits.



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7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No

Index : Yes / No

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17.02.2025

To:-

The Tahsildar,
Madurai East Taluk,
Narasingam, Madurai District.



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VIVEK KUMAR SINGH, J.

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