



W.P.(MD)No.10639 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.10639 of 2025

Muthulakshmi

: Petitioner

Vs.

1. The District Collector,
Dindigul,
Dindigul District.

2. The Revenue Divisional Officer,
Dindigul,
Dindigul District.

3. The Tahsildhar,
Thasildar Office,
Nilakkottai,
Dindigul District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondents No. 1 to 3 to consider the petitioners representation dated 25.01.2025 and to issue fresh legal heir certificate by including the petitioners husbands name Sangumuthu to the legal heirs deceased Kulanthaivel within a stipulated time that may be fixed by this Hon'ble Court.

For Petitioner : Mr. R.Karunanidhi



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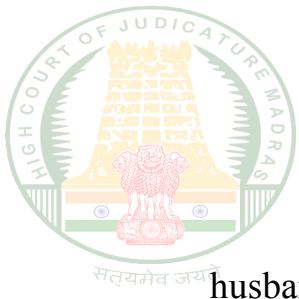
For Respondents : Mr.C.Venkatesh Kumar
Spl. Government Pleader

ORDER

The petitioner has filed this Writ Petition seeking a mandamus, directing the respondents 1 to 3 to consider the petitioner's representation dated 25.01.2025 and to issue a fresh legal heir certificate by including the petitioner's husband, Sangumuthu, as one of the legal heirs of the deceased Kulanthaivel.

2. Heard the learned counsel for the parties. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. The petitioner asserts that she is married to one Sangumuthu and has two daughters. Her father-in-law had purchased property in Survey No. 474/5, covered under Patta No. 2093, situated in Pallapatti Village, Nilakottai Taluk, Dindigul District. Subsequently, the petitioner's father-in-law passed away on 23.06.1998, leaving behind four legal heirs. The petitioner's grievance is that, following the demise of her



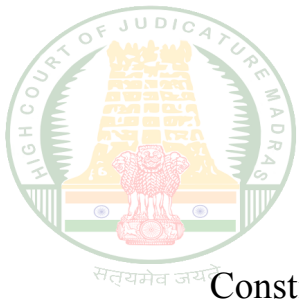
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husband on 03.01.2024, his name has not been included in the legal heir certificate of her deceased father-in-law. In this regard, she submitted a detailed representation dated 25.01.2025 to respondents 1 to 3, requesting the issuance of a fresh legal heir certificate including her husband, Sangumuthu, as one of the legal heirs. However, no action has been taken by the respondents. Aggrieved by such inaction, the petitioner has approached this Court by filing the present writ petition.

4. The learned counsel for the petitioner would submit that, it would suffice, if this Court issues a direction to the third respondent to consider the representation of the petitioner and pass appropriate orders, within a time frame that may be stipulated by this court.

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



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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 third respondent to consider the petitioner's representation dated 25.01.2025, 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 eight 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 third respondent to consider the same on its own merits.

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

21.04.2025

Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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