



W.P.(MD)No.5088 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.5088 of 2025

R.Jeyasankar

... Petitioner

-VS-

1.The Revenue Divisional Officer,
Ramanathapuram Division,
Ramanathapuram District.

2.The Tahsildhar,
Paramakudi Taluka, Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to issue a legal heir certificate to petitioner's brother, by considering petitioner's representation, dated 06.12.2024.

For Petitioner : Mr.B.Mahendrarajan

For Respondents : Mr.C.Venkateshkumar
Special Government Pleader



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ORDER

This Writ Petition has been filed seeking to a direction to the respondents to issue a legal heirship certificate of the petitioner's brother, by considering petitioner's representation, dated 06.12.2024.

2. With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

3. Alleging that the representation made by the petitioner seeking the issuance of a legal heirship certificate for his deceased brother, Muthukrishnan, who died on 31.08.2024 without issue, has not been considered so far, the present Writ Petition has been filed.

4. Heard both sides.

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



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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 second respondent herein to consider the petitioner's representation dated 06.12.2024, 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 one month 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 second 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.

NCC : Yes / No
Index : Yes / No
smn2

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VIVEK KUMAR SINGH, J.

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