

(2011) 06 MAD CK 0116
In the Madras High Court

Case No : Writ Petition No. 13203 of 2011 and M.P. No. 1 of 2011

J. Yogeswari

APPELLANT

Vs

The District Collector and The Tahsildar

RESPONDENT

Date of Decision : 08-06-2011

Acts Referred:

Citation : (2011) 06 MAD CK 0116

Hon'ble Judges : M. Jaichandren, J

Bench : Single Bench

Advocate : J. Nandagopal, for the Appellant; V. Jayaprakash Narayanan, Additional Government Pleader, for the Respondent

Final Decision : Dismissed

Judgement

M. Jaichandren, J.—Heard the learned Counsel appearing on behalf of the Petitioner and the learned Additional Government Pleader

appearing on behalf of the Respondents.

2. The main contention of the learned Counsel appearing on behalf of the Petitioner is that the application of the Petitioner for a legal heir

certificate, submitted to the second Respondent, had been returned without adducing proper reasons for the same. Therefore, the act of the

second Respondent in returning the application, without giving proper reasons, is arbitrary and illegal.

3. The learned Additional Government Pleader appearing on behalf of the Respondents had submitted that if the application for the legal heir

certificate, dated 29.04.2011, is re-submitted, the same would be considered by the second Respondent and appropriate orders would be passed

on the said application, on merits and in accordance with law, within the period

specified by this Court.

4. In view of the submissions made by the learned Counsels appearing on behalf of the Petitioner, as well as the Respondents, the Petitioner is

permitted to re-submit the application, dated 29.04.2011, for the issuance of a legal heir certificate, to the second Respondent, within ten days

from the date of receipt of a copy of this order, along with the necessary documents. On receipt of the said application, the second Respondent

shall consider the same and pass appropriate orders thereon, within a period of 12 weeks thereafter, after giving an opportunity of hearing to the

Petitioner and the other persons concerned.

5. This Writ petition is ordered accordingly. No costs. Consequently, connected Miscellaneous petition is closed.