

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2015

CORAM :

The Hon'ble Mr.Justice D.HARIPARANTHAMAN

Writ Petition No.10578 of 2015

R.Govindammal

... Petitioner

Vs.

1. The Tahsildar,
O/o.Madhavaram Tahsildar,
Madhavaram, Chennai - 600 060.

2. P.Ganesan

... Respondents

Prayer : Writ Petition, filed under Article 226 of the Constitution of India seeking for issuance of Writ of Mandamus, directing the respondent No.1 to include the petitioner's name in the legal heirship certificate issued in favour of the second respondent and to initiate action against the second respondent for not including the petitioner's name in the legal heir application.

For Petitioner : Mr.D.Bharathy

For Respondent-1 : Mr.V.Subbiah,
Special Government Pleader

ORDER

Mr.V.Subbiah, the learned Special Government Pleader, takes notice for first respondent.

2. The prayer in the Writ Petition is for issuance of Writ of Mandamus, directing the respondent No.1, to include the petitioner's name in the legal heirship certificate issued in favour of the second respondent.

3. The petitioner is the mother of one Lalitha, who was employed as Teacher in St.Anne's Primary School, Madhavaram, Chennai. The petitioner's daughter was married to one P.Ganesan, who is the second respondent herein. The petitioner's daughter died on 16.12.2010. It seems that the first respondent/Tahsildar issued a Legal Heirship Certificate mentioning the second respondent has the only legal heir of the deceased/Lalitha. The petitioner has also enclosed the Legal Heirship Certificate issued by the first respondent, at Page No.2 of the typed-set of papers filed along with this Petition, wherein, the second respondent is shown as the only legal heir of the deceased. On the face of it, the first respondent has committed an error in not including the name of the petitioner, who is the mother of the deceased R.Lalitha, as one of the legal heirs.

4. Heard the learned counsel for the petitioner and the learned Special Government Pleader for first respondent.

5. I am of the view that no notice need be issued to second respondent for the order that is passed hereunder.

6. This Writ Petition is disposed of, by directing the first respondent/Tahsildar to include the name of the petitioner also in the Legal Heirship Certificate of deceased/Lalitha and issue the certificate to the petitioner within a period of three weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

sd
TO

The Tahsildar,
O/o.Madhavaram Tahsildar,
MADHAVARAM, CHENNAI - 600 060.

+1cc to Mr.D.Bharathy, Advocate, S.R.No.20255
+1cc to the Government Pleader, S.R.No.20415

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SCD(CO)
CA(11/05/2015)