

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.08.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P.No.25462 of 2015

S.Murugeswari

...Petitioner

Vs.

The Tahsildar,
Office of Tahsildar, Tindivanam.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondent to issue the Legal Heir Certificate of late Mr. Pavadai Naidu to the petitioner within the time stipulated by this Court.

For Petitioner : Ms.G.Devi

For Respondents : Mr.S.Navaneethan.
Additional Government Pleader

O R D E R

The petitioner is said to be the wife of one Late Santhanam. It is the case of the petitioner that her husband died on 28.07.2013 leaving behind herself and her minor son, apart from the mother-in-law. She made a request on 05.05.2015 to the respondent seeking legal heir certificate. The request was not considered by the respondent on the ground that the mother-in-law and other in-laws of the petitioner have refused to sign the report of the Village Administrative Officer and Revenue Inspector.

2.The petitioner has sought for legal heir certificate on the ground that her husband, being the son of Late Mr.Pavadai Naidu, was one of the legal heir. Thus, the request was for the purpose of issuance of legal heir certificate in pursuance to the death of the said Late Pavadai Naidu on 27.05.1990. What is required is to be found out by the respondent is whether the deceased husband of the petitioner was the son of Late Pavadai Naidu and if so, who are all the other legal heirs. Merely because the mother-in-law and the other in-laws refused to sign the report, the same cannot be a ground to reject the issuance of the legal heir certificate. Their consent is not required for the approval of the enquiry conducted.

3.Thus, a direction is issued to the respondent to issue legal heir certificate based upon the report of the Village

Administrative Officer and Revenue Inspector within a period of two weeks from the date of receipt of a copy of this order.

4.The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

/true copy/

Sub Asst. Registrar

va

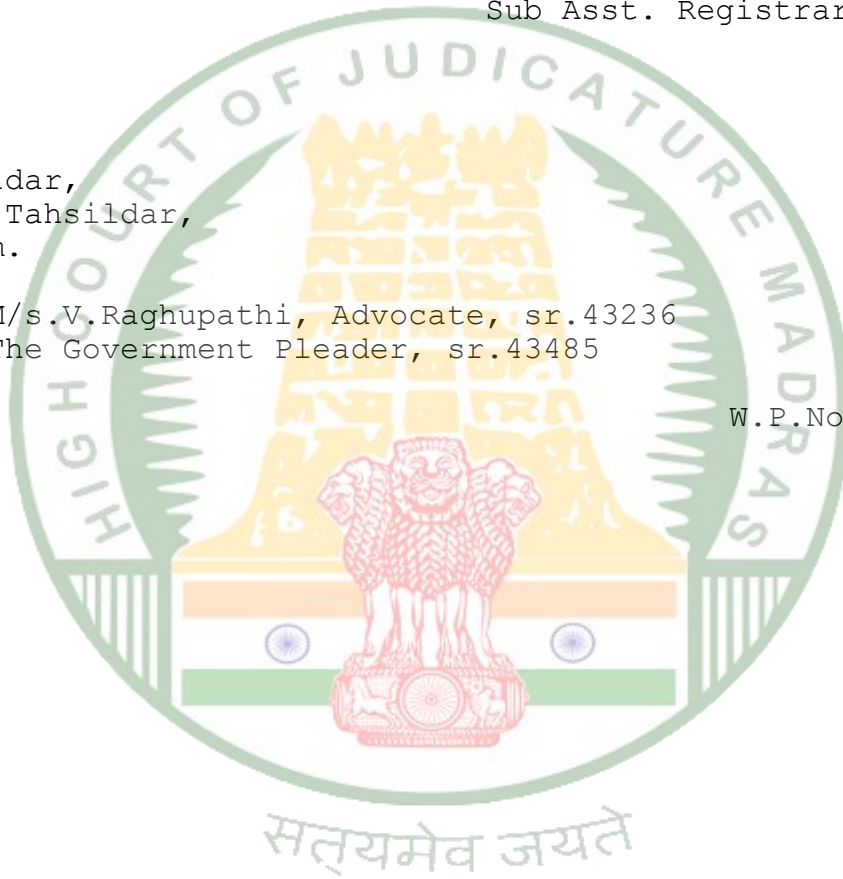
To

The Tahsildar,
Office of Tahsildar,
Tindivanam.

+1 cc to M/s.V.Raghupathi, Advocate, sr.43236
+1 cc to The Government Pleader, sr.43485

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