

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2015

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.2643 of 2015

A.Meenakshi

... Petitioner

vs.

The Tahsildar  
Alandur Taluk  
Alandur, Chennai

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent to issue Legal Heirship Certificate of the deceased K.Ananthakrishnan to the petitioner.

For Petitioner : Mrs.S.Rajeni Ramadass

For Respondent : Mr.S.Gunasekaran  
Government Advocate

ORDER

Heard Mrs.Rajeni Ramadass, learned counsel for the petitioner and Mr.S.Gunasekaran, learned counsel appearing for the respondent and perused the materials placed on record.

2. The petitioner seeks for a direction to the respondent to issue legal heirship certificate to the petitioner on account of the demise of her husband K.Ananthakrishnan.

3. The petitioner was earlier married to one BalaSubramanian, who died on 04.03.2008. Out of the said wedlock, the petitioner has got two children, namely Jeya Sri and Mani. The copy of the Legal Heirship Certificate of Balasubramanian's father, namely Sitaramaiyer has been filed in the typed-set of papers, which shows the petitioner and her two children as the legal heirs of Sitaramaiyer since she is the widow of Balasubramanian, the son of Sitaramaiyer. After the demise of Balasubramanian, the petitioner married K.Ananthakrishnan

and the marriage has been registered before the Marriage Registrar dated 05.03.2013. The petitioner's second husband K.Ananthakrishnan died on 09.03.2014. Late Ananthakrishnan was an advocate and he had enrolled himself in the Tamil Nadu Advocate's Welfare Fund Trustee Committee. At the time of his enrollment, Ananthakrishnan was a bachelor and hence, he made his brother as his nominee. After the marriage with the petitioner, the petitioner's name has been mentioned as a nominee to receive the amount under the Advocate's Welfare Fund and it appears that the petitioner has also received the said amount from the Bar Council of Tamil Nadu.

4. The petitioner approached the respondent for grant of Legal Heirship Certificate on account of the demise of her second husband Ananthakrishnan. In the proceedings dated 11.12.2014, the respondent has noted all these facts and directed the petitioner to approach the Court for Legal Heirship Certificate.

5. If the facts are not in dispute and on an enquiry it is found that the information furnished by the petitioner is correct, there is no legal bar for issuing Legal Heirship Certificate to the petitioner.

Accordingly, the respondent is directed to conduct enquiry and ascertain the correctness of the information furnished by the petitioner. If the respondent is satisfied with the reasons given by the petitioner and if there are no other rival claims or any dispute arise with regard to the marriage between the petitioner and Ananthakrishnan and there are no other Court proceedings pending, the respondent shall consider the request of the petitioner for the purpose of issuance of Legal Heirship Certificate. The above said direction shall be complied with within a period of three months from the date of receipt of a copy of this order.

6. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

gpa

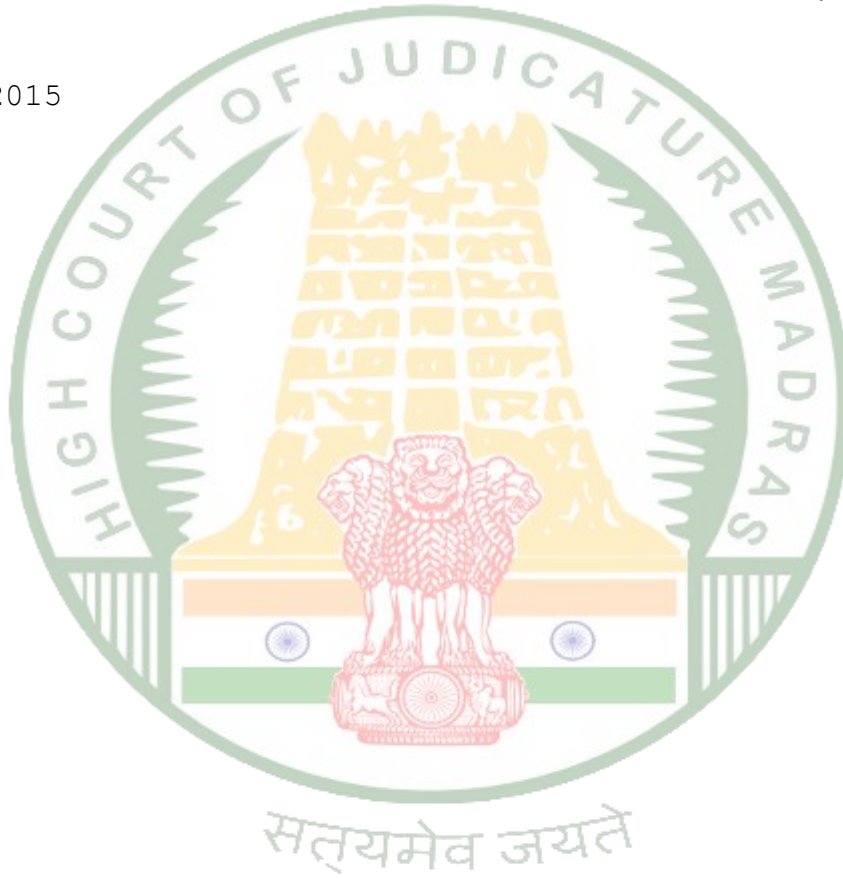
To

The Tahsildar  
Alandur Taluk  
Alandur, Chennai

1 cc to Mr. Mrs.S.Rajeni Ramadass ,Advocate, SR.No.5820  
1 cc to Government Pleader,Sr.No5784

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