

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2016

CORAM:

THE HON'BLE MR.JUSTICE M.S.RAMESH

W.P.No.16402 of 2013

and

M.P.No.1 of 2013

S.Thirupurasundari

... Petitioner

Vs

The Tahsildar,
Mambalam, Guindy Taluk,
Chennai 600 078

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorari calling for the records of the impugned legal heir certificate bearing S.No.514 vide proceedings No.Ne.Mu.Ee.1 No.5260/10 dated 25.03.2010 and quash the same in pursuant to the petitioner's representation dated 09.01.2013.

For Petitioner : Mr.A.Prabhakaran

For Respondent : Mrs.M.E.Raniselvam
Additional Government Pleader

O R D E R

One Mr.N.Subbiah died on 23.07.2009. The respondent has now issued legal heir certificates one in favour of the petitioner dated 27.08.2009 and the other in favour of Mrs.Sargunam, dated 25.03.2010.

2. The petitioner claims that she is the legally wedded wife of Late.M.Subbaiah. According to the petitioner, the legal heir certificate evidencing Mrs.Sargunam, as the wife of M.Subbaiah, is false. Hence, she has given an application to the respondent dated 09.01.2013 for cancellation of legal heir certificate issued in favour of Mrs.Sargunam. Since the respondent has not passed any order on the said application, the petitioner has filed the present writ petition.

3. In view of the limited prayer sought for in the writ petition, there shall be a direction to the respondent to take up the application dated 09.01.2013 made by the petitioner seeking for cancellation of legal heir certificate in favour of Mrs.Sargunam and after issuing due notice to the said Mrs.Sargunam and considering her objections, as well as the petitioner's objections, shall pass orders on its own merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

4. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

kkd

To

The Tahsildar,
Mambalam, Guindy Taluk,
Chennai 600 078.

+lcc to Mr.A.Prabhakaran, Advocate, S.R.No.64492
+lcc to the Government Pleader, S.R.No.64343

W.P.No.16402 of 2013
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PK(CO)
CA(19/12/2016)

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