

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :: 19.9.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.32537 of 2016

Minor.S.Durgadevi
Rep. by its her mother as Natural Guardian
S.Thangamani ... petitioner

versus

- 1 The Tashildar
Udumalpet Tiruppur District.
- 2 The Village Administrative
Officer No.63 Kannamanaickanur-I
Udumalpet Tiruppur District. ... respondents

Writ Petition filed under Art.226 of the Constitution of India praying for a Writ of Mandamus directing the 1st respondent authorities to issue legal heirship certificate to the petitioner by considering application dated 20.05.2016.

For petitioner Mr.K.Myilsamy
For respondents Mr.P.Sakthivel,
Government Advocate

O R D E R

Heard Thiru.K.Myilsamy, learned counsel for the petitioner and Thiru.P.Sakthivel, Government Advocate for the respondents.

2. With the consent of both the sides, the Writ Petition is taken up for disposal.

3. The petitioner is a minor, represented by her natural guardian mother Tmt.S.Thangamani, wife of late Thiru.M.Selvaraj. The petitioner's father died on 21.4.2016 and the same has been registered in the office of Registrar of Death and Birth, Udumalpet, on 25.4.2016 and death certificate has been issued by the competent authority. When Tmt.S.Thangamani, mother of the petitioner applied for legal heirship certificate, it appears that the second respondent has conducted an enquiry. However, the outcome of the enquiry is not known.

4. In any event, the request made by the petitioner for grant of legal heirship certificate to wife and daughter, who are all legal heirs of late M.Selvaraj, has to be enquired into and granted. Accordingly, there will be a direction to the first respondent to direct the second respondent to conduct proper enquiry to ascertain who are all Class-I legal heirs of late Thiru.M.Selvraj who died on 21.4.2016 and submit a report to him within a period of two weeks. This enquiry is required, since the petitioner's case is that mother of M.Selvaraj viz., Tmt.Kaliammal is no more, and she died on 7.7.2008. This aspect should also be enquired into and based on such enquiry and report, the first respondent shall pass orders within a period of two weeks therefrom.

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

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

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To

1 The Tashildar
Udumalpet Tiruppur District.

2 The Village Administrative
Officer No.63 Kannamanaickanur-I
Udumalpet Tiruppur District.

+1 cc to Mr.K.Myilsamy Advocate sr 52895

+1 cc to Government Pleader sr 53153

W.P.No.32537 of 2016

aa20/10/2016