



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2016

CORAM

WEB COPY

**THE HON'BLE MR.JUSTICE M.VENUGOPAL**

W.P.(MD) No.10992 of 2016

A.Ilin Mary

.. Petitioner

vs.

1.The District Collector,  
Trichy District, Trichy.

2.The Tahsildar,  
Lalkudi Taluk,  
Trichy District.

3.Isabella Rani

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 2nd respondent to dispose the petitioner's representation, dated 31.05.2016, relating with the issuance of legal heir certificate of petitioner's deceased husband Baskar @ A.John Baskar in favour of her and her minor child Helina Juvakin as accordance with law and on merits and also in the light of the provision of Indian Christian Act and Indian Succession Act within a time fixed by this Court.

For Petitioner : Mr.R.Suriyanarayanan

For R1 & R2 : Mr.J.Gunaseelan Muthiah  
Government Advocate

For R3 : Mr.P.Sivachandran

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O R D E R

Heard the Learned Counsel for the Petitioner; the Learned Government Advocate for the Respondent Nos.1 and 2 and the Learned Counsel for the Third Respondent.

2.By consent, the writ petition is taken up for final hearing.

<https://hcservices.ecourts.gov.in/hcservices/>

3.It is brought to the notice of this Court that the Petitioner had filed a suit in O.S.No.224 of 2016 on the file of



the Learned District Munsif, Lalgudi seeking a relief of declaration to the effect that 'the plaintiffs are the only Legal Heirs of the deceased Baskar @ A.John Baskar, who died on 28.05.2016' and for other necessary reliefs.

4. In the said suit, the State of Tamil Nadu, Rep. by its District Collector, Trichy District, is shown as first defendant and the Tahsildar, Lalgudi Taluk, Trichy District, is arrayed as second defendant. There are other defendants also from D3 to D5 in the aforesaid suit.

5. Inasmuch as the writ petitioner in W.P.(MD)No.10992 of 2016 before this Court had already filed a Civil Suit in O.S.No.244 of 2016 for seeking necessary reliefs, as afore stated, the present Writ Petition is dismissed as withdrawn granting liberty to the Petitioner to work out her remedy before the trial Court in the pending Civil Suit in O.S.no.224 of 2016, on the file of the trial Court in the manner known to law and in accordance with law. No costs.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub-Assistant Registrar

To:

1. The District Collector,  
Trichy District, Trichy.

2. The Tahsildar,  
Lalkudi Taluk,  
Trichy District.

+One cc to Mr.R.Suriyanarayanan, Advocate, SR.No.48464  
+One cc to Mr.P.Sivachandran, Advocate, SR.No.48710  
+One cc to The Special Government Pleader, SR.No.48597

rj2

RL/6C/2P/CK/8/9/2016

W.P. (MD) No.10992 of 2016