

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

WRIT PETITION No.2324 of 2017

Arokiyamary

... Petitioner

vs.

1. The District Collector,
Thiruvallur District,
Thiruvallur.

2. The Tahsildar,
Thiruvallur Taluk,
Thiruvallur District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the second respondent to consider and grant legal heirship certificate of the petitioner's husband Sri.A.P.Alphonse Ravindran, on her application dated 07.12.2015 forthwith.

For Petitioner : Mr.V.Shanmugham

For Respondents: Mr.P.V.Selvakumar,
Addl. Govt. Pleader

O R D E R

The petitioner has come up with this Writ Petition seeking a direction to the 2nd respondent to consider and grant Legal Heir Certificate of her husband Sri.A.P.Alphonse Ravindran, on her application dated 07.12.2015 forthwith.

2. According to the petitioner, her husband died on 11.06.2015 due to ill health. On 07.12.2015, she had applied to the 2nd respondent herein for grant of Legal Heirship Certificate with all relevant records, mentioning that they are Indian Christians. The Revenue Inspector conducted an enquiry on her application and informed her that she should add her mother-in-law, i.e. her husband's mother, as one of the legal heirs in the application. The petitioner informed the Revenue Inspector that since her deceased husband is an Indian Christian, his mother cannot be a legal heir.

3. The case of the petitioner is that the Revenue Inspector, without making any corrections in her application, had asked her to contact the Taluk Office. Though the petitioner has been frequently visiting the Taluk Office seeking Legal Heir Certificate, to her shock, her application was returned stating that unless she includes her mother-in-law as one of the legal heirs, her application would not be processed. Hence, the petitioner resubmitted her application seeking Legal Heir Certificate along with a representation dated 22.11.2016 to the respondents. Pending consideration of the same, the petitioner is before this Court.

4. Heard the learned counsel on either side and perused the material documents available on record.

5. Considering the facts and circumstances of the case, this Court directs the 2nd respondent herein to consider the petitioner's representation dated 22.11.2016 seeking Legal Heir Certificate, on merits and in accordance with law, after granting sufficient opportunity of hearing to the petitioner, and pass appropriate orders within a period of two months from the date of receipt of a copy of this order.

This Writ Petition is disposed of with the above direction.
No costs.

Sd/-
Assistant Registrar

//True Copy//

aeb

Sub Assistant Registrar

To:

1. The District Collector,
Thiruvallur District,
Thiruvallur.

2. The Tahsildar,
Thiruvallur Taluk,
Thiruvallur District.

+1cc to Mr. Shanmugam, Advocate, S.R.No.6098
+1cc to the Government Pleader, S.R.No.6468

UG(CO)
RS(09/02/2017)

Order in
W.P.No.2324 of 2017