

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

WRIT PETITION No.266 of 2017

Gowri

... Petitioner

vs.

The Tahsildar,
Taluk Office,
Uthangarai,
Krishnagiri District.

... Respondent

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 Heir Certificate to the petitioner and her mother Bagiyam and her sister Kasthuri as the only legal heirs to the petitioner's father Kolanthai @ Dhanapal Gounder.

For Petitioner : Mr.K.Thiruvengadam

For Respondent : Mr.R.S.Selvam,
Government Advocate

O R D E R

Seeking issuance of Legal Heir Certificate on account of the death of her father, the petitioner is before this Court by way of the present Writ Petition.

2. The petitioner has stated that her father viz. Kolanthai @ Dhanapal Gounder died on 25.01.2008 leaving behind him, her mother viz. Bagiyam, her sister viz. Kasthuri and herself as the legal heirs. It is her case that to claim share in her father's ancestral properties, legal heir Certificate is much required and hence, she made an application in that regard to the respondent on 07.12.2016 along with necessary documents. The petitioner's grievance is that despite approaching the respondent on several occasions seeking issuance of legal heir certificate, no positive reply is forthcoming. Hence, she is before this Court.

3. Heard the learned counsel on either side and perused the materials available on record.

4. Considering the facts and circumstances of the case, this Court directs the respondent to consider the petitioner's application dated 07.12.2016 seeking issuance of Legal Heir Certificate, on merits and in accordance with law 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.

s/d-
Assistant Registrar

//True Copy//

Sub-Assistant Registrar

To:

The Tahsildar,
Taluk Office,
Uthangarai,
Krishnagiri District.

+1 CC to M/s. K. Thiruvengadam, sr 967
+1 CC to The Govt. Pleader sr 1671

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