



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.10.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P(MD)No.19845 of 2017

S.Kanagavalli

.. Petitioner

Vs.

1.The District Collector,
Tuticorin District,
Tuticorin.

2.The Tahsildar,
Vilathikulam Taluk,
Tuticorin District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records of the 2nd Respondent in his proceedings in O.Mu.A2/1940/2017 dated 31.03.2017 and quash the same as devoid of merits and consequently directing the Respondents to issue legal heir certificate to the petitioner on account of the death of her husband late Mahesh Kannan died on 07.12.2011 within the period stipulated by this Hon'ble Court.

For Petitioner : Mr.Ananth C.Rajesh

For Respondents : Mr.J.Gunaseelan Muthiah,
Government Advocate

ORDER

By consent, this writ petition itself is taken up for final disposal at the stage of admission itself.

2. Mr.J.Gunaseelan Muthiah, learned Government Advocate, takes notice for the respondents.

3. According to the petitioner, her husband Mahesh Kannan died on 07.12.2011 and as such, she had approached the authorities seeking legal heir certificate. After enquiry as well as verification, the authorities have passed the present impugned order, rejecting her application, pointing out certain discrepancies in the identity cards and aggrieved thereby, the petitioner is before this Court.

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

4. The learned Government Advocate, on instructions, submitted that as the name of the petitioner's husband was not



correctly mentioned in the Ration Card, the respondents are not in a position to issue legal heir certificate to the petitioner.

5. At this juncture, the learned Counsel for the petitioner confines his prayer to the effect that it would be suffice, if the claim of the petitioner is considered by the authorities, after production of necessary corrected documents.

6. Under such circumstances, to give quietus to this issue, this Court directs the petitioner to approach the concerned authorities and correct the error in her husband's name in the ration card and thereafter, produce the same before the respondents for consideration. On such production, the second respondent is directed to consider and pass appropriate orders, on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the interested parties, if any, within a period of six weeks, thereafter.

7. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Tuticorin District,
Tuticorin.

2. The Tahsildar,
Vilathikulam Taluk,
Tuticorin District.

+1cc to M/s. ANANTH C. RAJESH Advocate in SR. No. 84089

GK

JS/KP/SAR.1/17.11.2017/2P-4C

**ORDER MADE IN
W.P (MD) No. 19845 of 2017
30.10.2017**