

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.9002 of 2018
and
W.M.P.No.10850 of 2018

Selvi. T.Sujatha

.. Petitioner

.. Vs ..

1. The District Collector,
Kanchipuram District,
Kanchipuram.

2. The Tahsildar,
Tambaram Circle,
Revenue Department,
Tambaram,
Chennai - 600 045.

... Respondents

Petition 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 second respondent in proceedings, Na.Ka.No.4237/2017/a.5 dated 24.11.2017 and quash the same, consequently directing the respondents to issue legal heirs Certificate to the petitioner on the death of her mother Munnabai on 20.06.2017 for which the petitioner has sent representation to the respondents on 19.12.2017.

For Petitioner : Mr.J.William Shakesphere
For Respondents : Mr.I.Sathish,
Additional Government Pleader

ORDER

Selvi. T.Sujatha, D/o. Late V.Thiruvankadasamy [Father] and Late P.S.Munnabai [Mother] has come to this Court challenging the impugned order of the second respondent refusing to issue Legal Heirship Certificate, since her mother Late P.S.Munnabai died on 20.06.2017.

2. Learned counsel appearing for the petitioner submitted that the Family Ration Card issued for the Month of January 2010 clearly shows the name of the petitioner, her mother Late P.S.Munnabai, her brother T.Sankar Ganesh and her younger sister T.Kavitha. After the death of her father Late V.Thiruvankadasamy, Legal Heirship Certificate also has been issued by the Tahsildar, Egmore-Nungambakkam Taluk clearly

showing her father's name Thiru.V.Thiruvankadasamy S/o. Veeraraghavan and her mother's name Tmt.P.S.Munnabai. While so, it is pleaded that the Tahsildar cannot decline to issue one more Legal Heirship Certificate for her mother after the death of her mother.

3. Since the Family Ration Card and also the Legal Heirship Certificate issued after the death of her father clearly show that she is a daughter of Late V.Thiruvankadasamy [Father] and also P.S.Munnabai [Mother], this Court finds no impediment to direct the respondents to consider the case of the petitioner on the basis of the Family Ration Card, Death Certificate, and the Legal Heirship Certificate issued on the death of her father and that exercise shall be done within a period of four weeks from the date of receipt of a copy of this order. Therefore, the impugned order of the second respondent dated 24.11.2017 is set aside and the Writ Petition is allowed. No costs. The connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

Jrl

To

1. The District Collector,
Kanchipuram District,
Kanchipuram.
2. The Tahsildar,
Tambaram Circle,
Revenue Department,
Tambaram,
Chennai - 600 045.

+1cc to M/s.J.William Shakesphere, Advocate SR.No.28001

+1cc to Government Pleader Sr.No.28061

KJ(CO)

sm:2.5.2018

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