

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.11.2018

CORAM

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.29282 of 2018

&

WMP.No.34216 of 2018

K.Latha

.. Petitioner

Vs.

1. The Thasildhar,
O/o. The Thasildhar,
Mambalam Guindy Taluk,
Chennai.

2. The Officer Incharge,
The Government of Tamilnadu E-Seva Centre,
Centre Identification No.TACCHN091
Mambalam, Chennai.

.. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order of online rejection passed by the 2nd respondent in Application No.TN-720180816643 and quash the same and consequentially direct the 1st respondent to issue Legal Heir Certificate to the petitioner by considering the petitioner's online Application No.TN-720180816643 dated 16.08.2018.

For Petitioner : Mr.A.Gokulakrishnan

For Respondents: Mr.E.Balamurugan

Special Government Pleader

ORDER

This Writ Petition has been filed challenging the order passed by the second respondent rejecting the application made by the petitioner to declare herself as legal heir of the deceased Sulochanabai @ Sulochana and further to direct the first respondent to issue a legal heirship certificate.

2. Admittedly, the petitioner is an adopted daughter of the deceased Sulochanabai @ Sulochana.

3. Mr.E.Balamurgan, learned Special Government Pleader for the respondents produced a circular dated 09.08.2017 issued by the Principal Secretary / Commissioner of Revenue Administration, Disaster Management and Mitigation Department, in which, certain instructions had been issued for issuance of legal heirship certificate through online, in which, Clause No.7 provides for general instructions. As per the said clause, the Tashildars shall not issue legal heirship certificates for certain cases and to inform the applicant to approach the competent Court for obtaining the legal heirship certificates. Sub clause (iv) specifically includes adopted child.

4. As admittedly the petitioner is the adopted daughter of the deceased Sulochanabai @ Sulochana, it is open to the petitioner to approach the competent Civil Court to get her status of daughter declared and then apply for the legal heirship certificate.

5. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Srn/av

To

1. The Thasildhar,
O/o. The Thasildhar,
Mambalam Guindy Taluk,
Chennai.

2. The Officer Incharge,
The Government of Tamilnadu E-Seva Centre,
Centre Identification No.TACCHN091
Mambalam, Chennai.

+1cc to Mr.A.Gopalakrishnan, Advocate, S.R.No.76589
+1cc to the Government Pleader, S.R.No.

W.P.No.29282 of 2018
&
WMP.No.34216 of 2018

VSN-II (CO)
SSM(05/12/2018)