



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.12.2019

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P. (MD) .No.15992 of 2019

R.Pappa Rathinam

.. Petitioner

Vs.

1.The Tahsildar,
Madurai South Taluk,
Madurai.

2.The Zonal Deputy Tahsildar,
Madurai South Taluk,
Madurai.

3.The Revenue Inspector,
Avaniyapuram,
Madurai.

4.The Village Administrative Officer,
12, Chinthamani, 4, Annupanadi,
Madurai South Taluk,
Madurai.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records of the impugned rejection proceedings of first respondent dated 03.07.2019 downloaded from official website and quash the same and consequently direct the first respondent to issue the legal heir certificate of the deceased Rathinam Pillai, the husband of the Writ Petitioner based on the petitioner's application No.TN-7201906191192.

For Petitioner
For Respondents

: Mr.AL.Kannan
: Mr.B.Bhagavathi,
Government Advocate

ORDER

This Writ Petition is filed challenging the impugned order of the second respondent dated 03.07.2019 rejecting the application



filed by the petitioner for issuing Legal Heirship Certificate for the deceased Rathinam Pillai, the husband of the petitioner.

2.The petitioner appears to be the second wife of one Rathinam Pillai who died on 07.05.2019. It is also admitted that the said Rathinam Pillai got married with one Kuruvammal. The said Kuruvammal has filed an affidavit before this Court to the effect that she agreed to dissolve the marriage between herself and her husband and that the second marriage was solemnised with her own sister, namely, the petitioner herein. The first wife has disowned the marriage and admitted the claim of the petitioner and other legal heirs of Thiru.Rathinam Pillai by an affidavit dated 12.12.2019. This Court through an Advocate by name Mrs.Sivasankari confirmed that the statement made in the affidavit are true and that she has given the affidavit on her own volition. It is also admitted by the parties that Thiru.Rathinam Pillai died on 07.05.2019, leaving behind the legal heirs namely R.Pappa Rathinam, R.Uthandi, R.Shyamala, R.Muthulakshmi and R.Gayathiri.

3.Having regard to the facts narrated above, this Writ Petition is allowed and the impugned order is set aside. The first respondent is directed to issue legal heirship certificate for the deceased Rathinam Pillai by including the five persons recorded in the order above within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar(CS)

SRM

To

1.The Tahsildar,
Madurai South Taluk,
Madurai.

2.The Zonal Deputy Tahsildar,
Madurai South Taluk,
Madurai.

3.The Revenue Inspector,
Avaniyapuram,
Madurai.



4.The Village Administrative Officer,
12, Chinthamani, 4, Annupanadi,
Madurai South Taluk,
Madurai.

WEB COPY

+1 CC to M/s.SPL GP (SR-105067[F] dated 16/12/2019)

+1 CC to M/s.M/S.AL. KANNAN, Advocate (SR-105158[F] dated
16/12/2019)

ORDER MADE IN
W.P. (MD) No.15992 of 2019
13.12.2019

scr(CO)
TR(02.01.2020) 3P 7C