



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P(MD)No.19833 of 2019

WEB COPY

Pavalakodi

... Petitioner

vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Thasildar,
Madurai East,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents to consider the petitioner's application in No.TN-7201907292006 dated 31.07.2019 on the file of the second respondent and issue the legal heirship certificate of her father-in-law namely Duraikalai within the time frame fixed by this Court.

For Petitioner : Mr.Mark J.Jackson

For Respondents : Mr.Aayiram K.Selvakumar,
Additional Government Pleader.

ORDER

Mr.Mark J.Jackson, learned counsel on record for writ petitioner and Mr.Aayiram K.Selvakumar, learned Additional Government Pleader on behalf of both the respondents are before this Court.

2.With consent of learned counsel on both sides, main writ petition is taken up, heard out and is being disposed of.

3.Considering the trajectory of this matter in the hearing today, short facts shorn of elaboration will suffice. Suffice to say that writ petitioner applied on 31.07.2019 to the 'Village Administrative Officer' (hereinafter 'VAO' for brevity) seeking legal heir certificate qua her deceased father-in-law one Duraikalai, who died on 24.06.2019. It is the case of writ petitioner that Duraikalai's son-D.Ramesh, who is her spouse, died



4.After getting instructions, learned State counsel submits that VAO rejected the claim of writ petitioner dated 22.08.2019 on the ground that writ petitioner has sought legal heir certificate for her two minor daughters also and an order in this regard has also been passed by the Tahsildar on 05.09.2019. Hard copy (computer generated) of the order made by the second respondent, dated 05.09.2019, rejecting the legal heir certificate application, is handed over by the State counsel to the writ petitioner.

5.Therefore, prayer in the instant Writ Petition has become infructuous.

6.To be noted, prayer is for a simple Mandamus to dispose of writ petitioner's application dated 31.07.2019.

7.Therefore, instant Writ Petition is disposed of holding that prayer in the instant Writ Petition has become infructuous albeit preserving the rights of the writ petitioner to challenge the orders of VAO and Tahsildar, if the writ petitioner is so advised. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

ps
To

1.The District Collector,
Madurai District,
Madurai.

2.The Thasildar,
Madurai East,
Madurai District.

+1 CC to M/s.V.SUKUMAR, Advocate (SR-87289[F] dated 18/09/2019)

+1 CC to M/s.SPL GP (SR-87558[F] dated 18/09/2019)

W.P(MD)No.19833 of 2019
17.09.2019

KM/(26.09.2019) 2P 5C