



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.12.2019

CORAM

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

W.P.(MD).No.15551 of 2015

WEB COPY

C.Vijayalakshmi

.. Petitioner

Vs.

The Tahsildar,
Taluk Office (East),
Dindigul.

.. Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the respondent to cancel the legal heir certificate already granted in Pa.Mu.2209/2013/A1, dated 24.01.2013 and provide legal heir certificate to the petitioner afresh based on the petitioner's representation dated 06.06.2015.

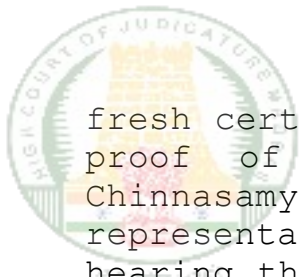
For Petitioner : Mr.T.Selvan

For Respondent : Mr.A.Muthukaruppan
Additional Government Pleader

ORDER

This Writ Petition is filed for issuance of a Writ of Mandamus to direct the respondent to cancel the legal heir certificate granted on 24.01.2013 for the petitioner's husband based on the representation of the petitioner on 06.06.2015.

2.The petitioner appears to be the third wife of one Chinnasamy. In the representation given by the petitioner, it is stated that the deceased husband of the petitioner earlier contracted a first marriage and after the death of first wife he married another lady whose name is also Vijayalakshmi. Due to dispute between the said Vijayalakshmi and the petitioner's husband, it is stated that the second wife by name Vijayalakshmi filed a petition in H.M.O.P.No.8 of 1996 before the Sub Court, Dindigul and got her marriage with the petitioner's husband dissolved by a judgment and decree dated 21.12.1999. Thereafter, the petitioner states that deceased Chinnasamy married her. The petitioner, thereafter, came to know that legal heirship certificate has been issued by showing the name of Vijayalakshmi who is the second wife of the deceased Chinnasamy. It is in these circumstances, the petitioner has approached this Court for cancellation of the legal heirship certificate and to issue a



fresh certificate. Issuance of fresh certificate depends upon the proof of marriage between the petitioner and the deceased Chinnasamy. Hence, the respondent is directed to consider the representation of the petitioner based on the document and after hearing the interested parties, the respondent is directed to pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of copy of this order. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

SRM

To

The Tahsildar,
Taluk Office (East),
Dindigul.

+1 CC to MR.T.SELVAN, Advocate (SR-106523[F] dated 27/12/2019)

ORDER MADE IN
W.P. (MD) No.15551 of 2015
20.12.2019

_KM/ (22.01.2020) 2P 3C