

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2020

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.14144 of 2020
and
W.M.P.No.17591 of 2020
(Heard through VC)

1.L.Gyaneshwar
2.L.Navaneetha Krishnan
3.L.Gopalakrishnan
4.Kamala Chidambaram
5.Pushpa Gomathinayagam
6.L.Natarajan
7.L.Balakrishnan

.... Petitioners

Vs.

The Tahsildar,
Guindy Taluk,
Chennai - 600 032.

.... Respondent

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 respondent relating to the impugned order in Na.Ka.1/689/2020 dated 05.09.2020, quash the same and consequently direct the respondent to issue the legal heir certificate to the petitioners for the deceased L.Anandan, son of A.Lakshmanan, who died on 12.11.2019.

For Petitioners : Ms.S.Shalini

For Respondent : Mr.V.Shanmugasundar
Special Government Pleader

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O R D E R

The writ petition has been filed challenging the order in Na.Ka.1/689/2020 dated 05.09.2020.

2. The petitioners are brothers and sisters. The petitioners had another brother, namely, L.Anandan, who died on 12.11.2019 leaving behind him the petitioners as his only surviving legal

heirs. The deceased L.Anandan died as a bachelor. The petitioners' parents pre-deceased him. Hence, the first petitioner applied for issuance of a Legal Heirship Certificate vide application dated 10.08.2020. The respondent conducted an enquiry and passed the impugned order in Na.Ka.#1/689/2020 dated 05.09.2020, refusing to issue legal heirship certificate for the reason that the petitioners were all Class-II heirs. It is stated that the petitioners are Senior Citizens and they are the only surviving legal heirs of their deceased brother L.Anandan. Hence, this petition.

3. Heard both sides and perused the materials available on record.

4. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the case, directs the petitioner Nos.1, 2, 4, 5 and 7, who are living in Chennai to appear before the Tahsildar, Guindy Taluk, with respect to issuance of legal heir certificate for the death of L.Anandhan S/o.Lakshmanan, who died on 12.11.2019. As the petitioner Nos.3 and 6 are living in Bangalore, and Tirunelveli, respectively, they are permitted to authorise any one of the petitioners, to appear on their behalf.

5. The parties are directed to appear before the Tahsildar, Guindy on 07.12.2020 and the Tahsildar, Guindy is directed to enquire and issue the Legal Heirship Certificate on or before 11.12.2020.

6. With the above directions, the writ petition is closed. No Costs. Consequently, the connected miscellaneous petition is closed.

7. Post the matter on 14.12.2020 "For Reporting Compliance".

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

rsi

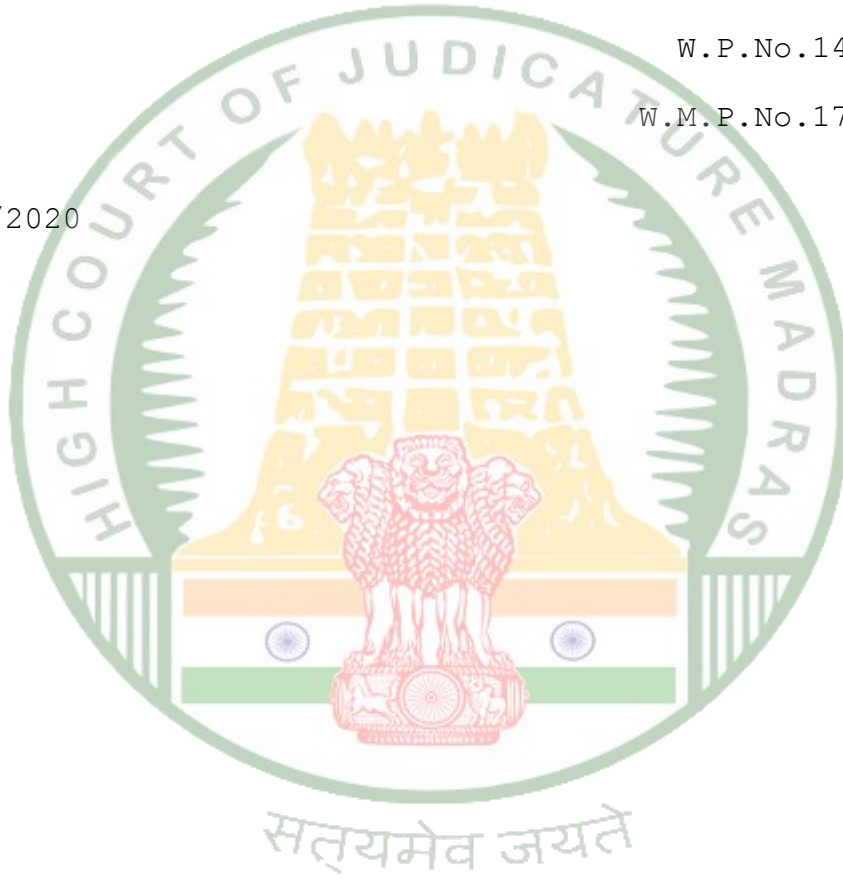
To

The Tahsildar,
Guindy Taluk,
Chennai - 600 032.

+lcc to M/s.S.Shalini, Advocate Sr.36600

W.P.No.14144 of 2020
and
W.M.P.No.17591 of 2020

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srg 19/11/2020



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