

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.02.2020

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.33338 of 2019

Saraswathi

... Petitioner

..Vs..

1. The District Collector,
Office of the District Collector,
Krishnagiri District.
2. The District Revenue Officer,
Office of the District Revenue Office,
Krishnagiri District.
3. The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Krishnagiri District.
4. The Tahsildar,
Office of the Taluk Office,
Uthankarai Taluk,
Krishnagiri District.
5. The Revenue Inspector,
Samalpatti,
Krishnagiri District.
6. The Village Administrative Officer,
Kathavani Villge, सत्यमेव जयते
Krishnagiri District.

...Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to issue the Legal Heir Ship Certificate on the basis of petitioner representation dated 04.01.2018 and 08.11.2019 within the time stipulated by this Court.

For Petitioner : Mr.S.Seenuvasan

For Respondents : Mr.Inbanathan
Additional Government Pleader

O R D E R

This Writ Petition has been filed in the nature of a Mandamus directing the respondents herein to issue the Legal Heir Ship Certificate on the basis of the representation given by the petitioner on 04.01.2018 and on 08.11.2019.

2. The petitioner Saraswathi, wife of Late Ravichandran stated that originally she married one Babu, but unfortunately he died. Thereafter, her husband Ravichandran, who was an unmarried person, married her in the year 2002. They were also blessed with two children Bharanidharan and Rajapriyan. She further stated that her husband Ravichandran unfortunately died in an accident on 17.11.2014. She had filed an application seeking compensation for the said accident. She had also sought Legal Heir Ship Certificate and therefore, she had filed representations on 04.01.2018 and again on 08.11.2019. Since the Legal Heir Ship Certificate has not been granted, the present Writ of Mandamus has been filed.

3. Heard Mr.S.Seenuvasan, learned counsel appearing for the petitioner and Mr. Inbanathan, learned Additional Government Pleader appearing for the respondents.

4. The learned Additional Government Pleader has passed over an internal communication by the Tahsildar, Uthankarai, which was actually addressed to the petitioner herein, wherein, it has been stated that the father of Ravichandran, T.Shanmuga Chettiar had given a notice on 04.12.2019 stating that the present petitioner Saraswathi is not the wife of Ravichandran and that he is the only legal heir. It is also stated that he had also filed OS No.51 of 2015, which is pending before the Uthankarai District Munsif Court.

5. In view of all these facts, it would only be appropriate that the petitioner herein joins in the legal proceedings in OS No.51 of 2015, now pending before the Uthankarai District Munsif Court and establishes her right. Therefore, a Mandamus cannot be issued to the respondents, at this stage, to issue legal heir ship certificate.

6. With the above observation, this writ petition is dismissed. There shall be no order as to costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Office of the District Collector,
Krishnagiri District.
2. The District Revenue Officer,
Office of the District Revenue Office,
Krishnagiri District.
3. The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
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4. The Tahsildar,
Office of the Taluk Office,
Uthankarai Taluk,
Krishnagiri District.
5. The Revenue Inspector,
Samalpatti,
Krishnagiri District.
6. The Village Administrative Officer,
Kathavani Villge,
Krishnagiri District.
7. The District Munsif,
Uthankarai.

+1cc to the Government Pleader Sr.10416

W.P.No.33338 of 2019

pvs[co]
srg 05/03/2020