



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:17.09.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.9037 of 2020

and

W.M.P. (MD)Nos.8260 and 8262 of 2020

WEB COPY

Dhanalakshmi

... Petitioner

Vs.

The Tahsildar,
Singampunari Taluk,
Sivagangai District.

... Respondent

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the respondent in his proceedings nil dated 12.06.2020 and quash the same as illegal and consequently direct the respondent to issue legal heirship certificate to the petitioner.

For Petitioner : Mr.S.Kameswaran

For Respondent : Mr.C.Ramar

Additional Government Pleader

O R D E R

Heard the learned counsel on either side.

2. The writ petitioner claims that she is the wife of Venugopal. The said Venugopal had passed away on 31.11.2017. The petitioner applied for issuance of legal heir certificate. The said request was rejected in the impugned order on the ground that in local enquiry it was noticed that the deceased Venugopal had been married to another person and that through the other marriage, a son was also born. This rejection order dated 12.06.2020 is challenged in this writ petition.

3. As rightly contended by the learned counsel for the petitioner, the impugned order is bereft of particulars. It is not in dispute that Venugopal passed away. It is only the petitioner, who had applied for issuance of legal heir certificate. The petitioner had enclosed the Aadhar card as well as the Family card. There is no rival claim. If the deceased Venugopal had got married to another person, then, details must be spelt out in the impugned order. The impugned order is in vague. I am constrained to quash the impugned order. Accordingly, the impugned order passed by the respondent is quashed. The matter is remitted to the respondent to hold fresh enquiry. This exercise shall be done within a period of eight weeks from the date of a copy of this order.



4. With the above direction, the writ petition is disposed of.
No costs. Consequently, connected Miscellaneous Petitions are closed.

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Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

Is

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

The Tahsildar,
Singampunari Taluk,
Sivagangai District.

+1 CC to SGP (SR-17426[F] dated 18/09/2020)

W.P. (MD)No.9037 of 2020

17.09.2020

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