



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2020

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P.(MD).No.19360 of 2020

and W.M.P.(MD).No.16159 of 2020

WEB COPY

Thangavel

... Petitioner

Vs.

1.The District Collector,
Karur District, Karur.

2.The Tahsildar,
Pugalur Taluk,
Karur District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Certiorafified Mandamus, calling for the impugned order dated 11.10.2020 passed by the 2nd respondent in Application No.TN 7202009282495 and consequently, direct him to issue legal heirs certificate of the petitioner's mother-in-law by name Achiyathal.

For Petitioner : Mr.I.Velpradeep

For Respondents : Mr.C.Ramesh
Special Government Pleader

ORDER

(This writ petition is heard through video conference)

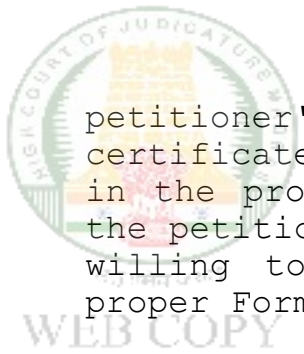
This writ petition has been filed challenging the impugned order dated 11.10.2020 passed by the second respondent, rejecting the petitioner's application, seeking for issuance of legal heirship certificate for the petitioner's mother-in-law Athiyathal, who died on 22.05.1987.

2.Heard Mr.I.Velpradeep, learned counsel appearing for the petitioner and Mr.C.Ramesh, learned Special Government Pleader appearing for the respondents.

3.By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4.The second respondent has rejected the application of the petitioner under the impugned order on the ground that there were some defects in the application submitted by the petitioner.

5.Mr.C.Ramesh, learned Special Government Pleader, who accepts notice on behalf of the respondents would submit on instructions that the second respondent is ready and willing to consider the



petitioner's application seeking for issuance of legal heirship certificate for his deceased mother-in-law, if the same is submitted in the proper form. For this submission, the learned counsel for the petitioner, on instructions, would submit that the petitioner is willing to submit the same before the second respondent in the proper Form.

6.Recording the rival submissions, this Court directs the petitioner to submit a fresh application with the second respondent for issuance of legal heirship certificate for his mother-in-law Achiyathal, who died on 21.07.2019, within a period of one week from the date of receipt of a copy of this order. On receipt of the said application, the second respondent shall pass final orders on merits and in accordance with law on the said application, after affording a fair hearing to the petitioner as well as after hearing other necessary parties, if any, within a period of four weeks thereafter.

7.With the aforesaid direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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

1.The District Collector,Karur District, Karur.

2.The Tahsildar,Pugalur Taluk,Karur District.

+1 CC to M/s.I.Velpradeep, Advocate SR.No.27129.

+1 CC to Spl.Govt.Pleader SR.No.27276.

**W.P. (MD) .No.19360 of 2020
23.12.2020**

(SR) CO

AP(05/01/2021) 2P 5C

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