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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No. 31322 of 2015

S.Uma Maheswari

... Petitioner

-VS-

The Tahsildar,  
Mylapore Taluk,  
Mylapore,  
Chennai - 600 028.

... Respondent

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the entire records relating to the impugned order passed by the respondent in her Letter No.B4/6796/2015, dated 09.07.2015 and quash the same and consequently directing the respondent to issue Legal Heir Certificate to the petitioner for her husband's legal heir, who died on 06.03.1994 and mother-in-law of the petitioner died on 24.11.2009.

For Petitioner: Mr.C.Prakasam

For Respondent: Mr.K.M.D.Muhilan  
Government Advocate

O R D E R

The relief sought for in the present Writ Petition is challenging the order of rejection of application submitted by the writ petitioner for grant of Legal Heirship Certificate.

2. The respondent has clearly stated that as on date, the petitioner is residing at No.78, Perumal Koil Street, Velapadi, Vellore and the said address of the petitioner does not fall under the jurisdiction of Mylapore Taluk, Chennai District. All



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the Tahsildars are competent to issue certificates only to the people belonging to their respective territorial jurisdictions. Thus, the petitioner has to apply to the Taluk Tahsildar pertaining to her residence in Vellore District.

3. The petitioner herself stated that she married one Sampathkumar on 28.08.1987 and from then onwards she had stayed at No.43/20, Chella Pillayar Koil Street, Royapettah, Chennai with her husband and mother-in-law Sulochana. The husband of the petitioner died on 06.03.1994 and her mother-in-law also died on 24.11.2009. However, after the death of the husband of the petitioner, she had failed to apply for issuance of Legal Heirship Certificate before the Tahsildar, erstwhile Mylapore-Triplicane Taluk. This being the factum, the petitioner has to file an appropriate application before the jurisdictional Taluk Tahsildar for the purpose of getting Legal Heirship Certificate and the petitioner is at liberty to submit the said application before the jurisdictional authorities for consideration.

4. With these liberty, the Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-  
Assistant Registrar (CS-LA)

// True Copy //

Sub Assistant Registrar

vji / sp

To

The Tahsildar,  
Mylapore Taluk,  
Mylapore,  
Chennai - 600 028.

+1CC to The Government Pleader, SR.No. 53236

W.P. No. 31322 of 2015

RLD(CO)  
B.VC (02/11/2021)