



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Writ Petition No.13879 of 2021

K.Vasantha

... Petitioner

Vs

1.The Tahsildar
Taluk Office
Asthampatti
Salem District.

2.Manimegalai

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to consider the representation of the petitioner dated 22.06.2021 seeking for issuance of legal heirship certificate to the petitioner and consequently, directing the 1st respondent to issue legal heirship certificate.

For Petitioner : Mr.B.Manimaran

For R1 : Mr.Stalin Abimanyu
Government Advocate

ORDER

According to the petitioner, her husband by name Gandhi died on 21.12.2020 leaving behind his wife / petitioner and three children as legal heirs. Subsequently, the petitioner applied for the legal heir certificate on 05.05.2021 through online. Despite several requests made, the said application was not considered, in view of the objection raised by the second respondent, who was having illicit relationship with the petitioner's husband. Stating that the petitioner is legally wedded wife of the deceased and her three children are also his lawful legal heirs and hence, the second respondent does not have any right to object the legal status of the petitioner and her children, the petitioner submitted a representation dated 22.06.2021 to the first respondent, seeking to issue a legal heirship certificate to her. Finding no response on the same,



she has come up with this writ petition seeking appropriate direction to the first respondent in this regard.

2. Heard Mr. B. Manimaran, learned counsel for the petitioner and Mr. Stalin Abhimanyu, learned Government Advocate taking notice for the first respondent and also perused the materials available on record.

3. Considering the limited relief sought in this writ petition, this Court directs the 1st respondent to consider the petitioner's representation dated 22.06.2021 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as the second respondent, within a period of four (4) weeks from the date of receipt of a copy of this order.

4. Accordingly, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS VII)

//True Copy//

Sub Assistant Registrar

kj

To

The Tahsildar
Taluk Office
Asthampatti
Salem District.

+1cc to B. Manimaran, Advocate Sr No. 32820

W.P.No.13879 of 2021

NK (CO)
PR (31/08/2021)