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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.19230 of 2021

Mrs.Gowri

... Petitioner

Vs.

The Tasildar,
Zone 5
Tondiarpet,
Chennai - 21.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to issue the Legal Heir Certificate.

For Petitioner : Mr.M.Lourdu Savio

For Respondent : Mr.G.Krishnaraja, Govt. Counsel

O R D E R

The prayer made in this writ petition is to direct the respondent to issue the Legal Heir Certificate to the petitioner.

2.According to the petitioner, she is the legally wedded wife of one Sivakumar, after divorce of his first wife by name S.Sunitha through Court of law. Her husband has a male child named Susith, through his first wife S.Sunitha. The petitioner gave birth to a male child by name, S.Maithreyan and her husband died on 12.08.2020. After his death, she made a representation dated 30.07.2021 along with necessary documents to the respondent for issuance of legal heirship certificate, which was not considered, till date. Therefore, she has come up with this writ petition for the aforesaid relief.

3.The learned counsel for the petitioner submitted that the petitioner would be satisfied, if her representation dated 30.07.2021 seeking issuance of legal heirship certificate is directed to be considered by the respondent, in the light of the documents furnished by her.



4.The learned Government counsel appearing for the respondent has no serious objection for granting such relief to the petitioner.

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5.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the respondent to consider the representation of the petitioner dated 30.07.2021 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as any other interested parties, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

The Tasildar,
Zone 5
Tondiarpet,
Chennai - 21.

+lcc to Mr.A.James, Advocate Sr.50226
+lcc to the Government Pleader Sr.50527

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srg 28/10/2021