



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.12027 of 2021

Jegadeeswari

..Petitioner

Vs.

The Tahsildhar,
Uthamapalayam Taluk Office,
Uthamapalayam.

... Respondent

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the entire records in relating to the Impugned order in Na.Ka.No. 481/2020/A3 dated 06.02.2020 passed by the respondent and to quash the same as arbitrary and consequently to direct the respondent to issue legal heir certificate in favour of the petitioner, as she is the wife of her husband namely Late. Selvendran, within the time limit, that may be prescribed by this Hon'ble High Court

For Petitioner	: Mr.M.S.Jeyakarthik
For Respondent	: Mr.R.Suresh Kumar
	Government Advocate

ORDER

This writ petition has been filed challenging the impugned letter issued by the respondent, dated 06.02.2020, refusing to issue Legal Heirship Certificate to the petitioner.

2.Heard Mr.M.S.Jeyakarthik, learned counsel appearing for the petitioner and Mr.R.Suresh Kumar, learned Government Advocate appearing for the respondents.

3.It is seen from records that in a couple of civil proceedings, the petitioner has been made as the legal representative in the place of the deceased K.C.Selvendran, who is claimed to be the husband of the petitioner. When a competent Civil Court has acted upon the claim made by the petitioner and allowed the petitioner to be recognized as the legal heir of the deceased K.C.Selvendran, there is no requirement for the petitioner to knock the doors of the Revenue Authorities and seek for a Legal Heirship Certificate. Recognition of a legal heir has an authentic value



when it is made by the Court than by the Revenue Authority. Therefore, there is no requirement for the petitioner to get a Legal Heirship Certificate from the respondent.

4. In view of the above, no further orders are required to be passed in this petition and this writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (AE)

// 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

The Tahsildhar,
Uthamapalayam Taluk Office,
Uthamapalayam

+1 CC to M/s.M.S.JEYAKARTHICK, Advocate (SR-23006[F] dated 16/07/2021)

+1 CC to M/s.SPL GP (SR-23189[F] dated 19/07/2021)

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PM(CO)

LR (27.07.2021) 2P 4C