



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.08.2021

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THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.15263 of 2021

M.P.Jeyakumar

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Madurai East Division,
Melur, Madurai.

2.The Thasildar,
Madurai East Taluk,
Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to consider the petitioner's appeals dated 16.12.2020 and thereby issue legal heir certificate in favour of the petitioner within time stipulated by this Court.

For Petitioner : Mr.P.R.Prithiviraj

For Respondents : Mr.R.Baskaran,
Counsel for State

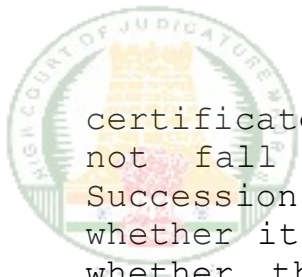
ORDER

The petitioner seeks the expeditious disposal of an appeal filed before the first respondent in respect of the grant of legal heirship certificate.

2. The petitioner seeks a legal heirship certificate in respect of his grandaunts Ayyammal and Veeraayee. It is stated that the said Ayyammal died on 15.10.1947 and Veeraayee died on 11.08.1946 without issues. The petitioner filed two applications before the second respondent seeking legal heirship certificates as regards the respective grandaunts. Such applications were rejected by order dated 16.11.2020. An appeal was filed before the first respondent on 16.12.2020. The present writ petition is for the expeditious disposal thereof.

3. Mr.R.Baskaran, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the appeal may be directed to be considered and disposed of on merits.

<https://hcservices.courts.gov.in/hcservices/> 4. The Thasildar is authorised to grant a legal heirship



certificate to legal heirs. In the context of legal heirs, who do not fall within Clause (a) of Section 15(1) of the Hindu Succession Act, 1956, the Thasildar may undertake an inquiry as to whether it is possible to identify all the legal heirs and examine whether there are disputes with regard thereto. If there are disputes, such disputes are to be resolved by a civil court.

5. Subject to the above observations but without going into the merits of the matter, the first respondent herein is directed to consider the petitioner's appeal dated 16.12.2020 and dispose of the same by a reasoned order in accordance with law within a period of six months from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioner and all other potential legal heirs of Ayyammal and Veeraayee.

6. W.P.(MD).No.15263 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sbn

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 Revenue Divisional Officer,
Madurai East Division,
Melur, Madurai.

2.The Thasildar,
Madurai East Taluk,
Madurai.

+1 CC to M/s.SPL GP (SR-27637[F] dated 31/08/2021)

W.P (MD) No.15263 of 2021
27.08.2021

PS (CO)

SP (07-09-2021) 2P 4C
<https://hservices.ecourts.gov.in/hservices>