



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.10.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD).No.17730 of 2021

WEB COPY

S.Velusamy

... Petitioner

Vs.

The Tahsildar,
Office of the Taluk Office,
Kadaiyanallur Taluk Office,
Tenkasi District.

...Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to dispose the online application of the petitioner for issuance of legal heir certificate vide application No.TN-7202107171689 dated 17.07.2021 in a time bound manner.

For Petitioner : Mr.V.Selva Kumar
For Respondent : Mr.K.S.Selva Ganesan
Counsel for State

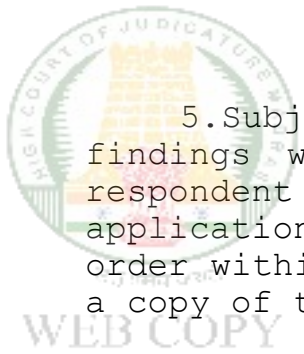
ORDER

The petitioner seeks a direction for the issuance of a legal heir certificate pursuant to his online application bearing No.TN-7202107171689 dated 17.07.2021.

2.The petitioner states that his mother died on 12.11.2020. Her death was duly registered by the authorities on 17.11.2020. Subsequently, he applied for a legal heir certificate. In course of inquiry, he was called upon to produce the death certificate of his father, Chellaiya, and that of his brother, Ramaiya. It appears that the petitioner failed to produce the said death certificates. The present writ petition is filed in the said facts and circumstances.

3.Mr.K.S.Selva Ganesan, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the Tahsildar would not be in a position to issue a legal heir certificate unless the death of the other legal heirs is established in accordance with law.

4.While the petitioner states that he produced an affidavit with regard to the death of his father and brother, a legal heir certificate cannot be issued on such basis. However, it would be open to the petitioner to request the relevant Village Administrative Officer or other authority to issue a certificate or report to the Tahsildar on the death of the other legal heirs.



5. Subject to the above observations but without entering any findings with regard to the entitlement of the petitioner, the respondent is directed to consider the petitioner's online application dated 17.07.2021 and dispose of the same by a reasoned order within a period of four (4) months from the date of receipt of a copy of this order.

6. W.P(MD).No.17730 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (Cr1.Side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sn/sji

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 Tahsildar,
Office of the Taluk Office,
Kadaiyanallur Taluk Office,
Tenkasi District.

+1 CC to M/s.SPL.GP (SR-31034[F] dated 04/10/2021)

W.P(MD).No.17730 of 2021
01.10.2021

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