



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2021

CORAM

THE HON'BLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P.(MD)No.18054 of 2021

WEB COPY

Kaveri

... Petitioner

Vs.

The Tahsildar,
Thuraiyur Taluk,
Trichy District.

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to consider the representation of the petitioner dated 25.09.2021 and issue legal heirship certificate in favour of the petitioner.

For Petitioner : Mr.V.Singan

For Respondent : Mr.K.S.Selva Ganesan,
Counsel for the State

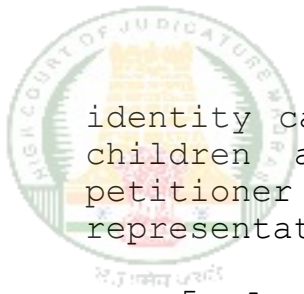
O R D E R

The petitioner seeks a direction to the respondent for issuance of a legal heirship certificate.

2. The petitioner states that her husband, Duraisamy, died intestate on 10.06.2013. It is stated that his death was duly registered in the Taluk Office, Thuraiyur, Tiruchirappalli District. A death certificate issued on 09.07.2013 is cited in support of the said submission. The petitioner states that the Class-I legal heirs of her late husband are herself, her three male children and two female children. After the death of her husband, the petitioner states that she approached the respondent and requested for a legal heirship certificate. The necessary self-declaration forms and identity cards were submitted. In spite of submitting a subsequent representation dated 25.09.2021, it is stated that no action was taken thereon. Therefore, the present writ petition.

3. Mr.K.S.Selva Ganesan, learned counsel for the State, accepts notice on behalf of the sole respondent. He submits that the respondent may be directed to consider and dispose of the representation within a reasonable time frame.

4. The petitioner has enclosed a copy of the death certificate in respect of her late husband. A copy of the self-declaration and



identity cards of her husband, the petitioner and the petitioner's children are enclosed. On the basis of these documents, the petitioner has made out a case for the consideration of her representation.

5. Accordingly, without entering any findings on the merits of the matter, the respondent is directed to consider the petitioner's representation dated 25.09.2021 and institute an inquiry on such basis with regard to the request for legal heirship certificate. The entire process shall be completed within a period of three months from the date of receipt of a copy of this order either by issuing a legal heirship certificate or by issuing a reasoned communication indicating reasons for refusing to do so.

6. W.P(MD).No.18054 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

The Tahsildar,
Thuraiyur Taluk,
Trichy District.

+1 CC to M/s.SPL.GP (SR-31553[F] dated 07/10/2021)

W.P.(MD)No.18054 of 2021

06.10.2021

RD(21.10.2021) 2P 3C