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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2022

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.NO.2024 OF 2022

Mrs.Vijayalakshmi Devaraj.

...Petitioner

Vs.

1. The Tahsildar,
Egmore Nungambakkam Taluk Office,
Mayor Ramananthan Road,
Chetpet,
Chennai - 600 031.

2. The District Collector,
Collector Office,
Rajaji Salai,
Chennai - 600 001.

...Respondents

Prayer: Writ Petitions filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to consider the application of legal heir certificate submitted by the petitioner to the 1st respondent dated 17.12.2021 and consequential relief directing the 1st respondent to issue legal heir certificate in favour of the petitioner.

For Petitioner : Mr.T.Ramachandran

For Respondents : Mrs.Geetha Thamaraiselvan
Special Government Pleader

O R D E R

Heard Mr. T. Ramachandran, learned counsel for the petitioner and Mrs.Geetha Thamaraielvan, learned Special Government Pleader for the respondents.



2. Read this order in conjunction with order dated 10.02.2022, which reads as follows:

Mrs. Geetha Thamraiselvan, learned Special Government Pleader accepts notice for the respondents and seeks sometime to obtain instructions and file a counter.

2. The specific grievance of the petitioner that she is unable to make an application online for issuance of legal heirship certificate and she assumes that this difficulty is on account of the date of demise of her husband, viz., 07.10.1999, being more than two decades ago.

3. Let specific instructions be obtained whether online applications would have to relate any to specific cut-off date in regard to the date of demise.

4. List on 25.02.2022. Counter/written instructions by then with an advance copy served upon the petitioner.

3. A counter has been filed by the 1st respondent/Tahsildar wherein it is stated that the application filed by the petitioner has been filed offline in hard copy, wherein as per the procedure followed for the past few years and presently, applications for issuance of legal heir certificate would have to be made online.

4. The petitioner is thus granted liberty, if she so desires, to make an application online following the process that is presently in vogue for issuance of legal heir certificate. As regards the specific point, upon which clarity was sought by the Court at paragraph (3) of order dated 10.02.2022, the respondents concur that there is no time limit that is fixed for obtaining legal heirship certificate. In this regard they refer to an order passed by this Court in W.P.No.12537 of 2016 dated 18.07.2016.

5. In all, the mandamus as sought for by the petitioner is not liable to be issued insofar as the petitioner has not followed the procedures set out for issuance of legal heir certificate.



6. In the light of the above discussion, this writ petition is closed. Consequently connected miscellaneous petitions are also closed. There shall be no order as to costs.

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Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

nst/ska

To

1. The Tahsildar,
Egmore Nungambakkam Taluk Office,
Mayor Ramanathan Road,
Chetpet,
Chennai - 600 031.
2. The District Collector,
Collector Office,
Rajaji Salai,
Chennai - 600 001.

+1cc to the Government Pleader, S.R.No.13051

W.P.No.2024 of 2022

GSM(CO)
RLP(29/03/2022)