



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2022

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.NO.4528 OF 2022 &
W.M.P.NO.4660 OF 2022

Shruthi Nirmal

...Petitioner

Vs.

1.The District Collector,
Chennai District,
Office of the District Collector,
Singaravelar Malligai,
Rajaji road, Chennai.

2.The Tahsildar,
Aminjikarai - Shenoy Nagar,
Office of Taluk Office,
Aminjikarai, Chennai.

3.K.Nirmal Kumar.

...Respondents

Prayer : Writ Petitions filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to issue a legal heir certificate in connection with the death of the petitioner's mother D.Pugazhenthhi who had passed away on 30.06.2017 by deleting the name of K.Nirmal Kumar, the 3rd respondent herein.

For Petitioner : Mr.D.Ashok Kumar

For Respondents : Mrs.Geetha Thamaraiselvan
1 & 2 Special Government Pleader

ORDER

The petitioner seeks a mandamus directing the respondents i.e. the District Collector and Tahsildar to issue a legal heir certificate pursuant to the demise of her mother D.Pugazhenthhi on 30.06.2017 by deleting the name of K. Nirmal Kumar who is arrayed as 3rd respondent in this writ petition.

2. According to her, R3 who is arrayed as the husband of D. Pugazhenthhi had disowned the family a long time ago and had also married one Ponmozhi thereafter he has snapped all ties with her



mother and ought not to have been arrayed in the legal heirship certificate.

3. The representation dated 09.07.2021 filed by her in this regard is addressed to the Tahsildar whereas the learned Special Government Pleader, Mrs. Geetha Thamaraiselvan, learned Special Government Pleader, who has accepted notice for the official respondents, would submit that the proper authority for considering amendment of legal heirship certificate would be Revenue Divisional Officer (RDO).

4. In the light of the aforesaid, mandamus as sought for is not liable to be granted. However, the petitioner is permitted to move an appropriate application before the RDO, who will, upon receipt thereof consider the same, cause enquiry with the petitioner as well as with R3 and thereafter pass appropriate orders upon the request of the petitioner. Since the RDO is not arrayed as a party in this writ petition, the directions of this Court aforesaid will be conveyed to him by the learned Special Government Pleader.

5. This writ petition stands disposed in the above terms. Consequently connected writ miscellaneous petition is also closed. There shall be no order as to costs.

Sd/-
Deputy Registrar (CS)

// True Copy //

Sub Assistant Registrar

nst/ska

To

1.The District Collector,
Chennai District,
Office of the District Collector,
Singaravelar Malligai,
Rajaji road, Chennai.

2.The Tahsildar,
Aminjikai - Shenoy Nagar,
Office of Taluk Office,
Aminjikai, Chennai.

+lcc to Mr.D.Ashok Kumar, Advocate Sr.No.14008
+lcc to the Government Pleader Sr.No.14140

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PA(CO)
RVM(18/03/2022)