



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2022

CORAM:

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.NO.14661 OF 2022

R.Dhanalakshmi

... Petitioner

Versus

1. The District Collector,
Chengalpet District,
Chengalpet - 603 001.
2. The Tahsildar,
Guduvancherry Taluk District
Chengalpet - 603 202.

... Respondents

PRAYER:-

Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus directing the respondents to consider the petitioner's application dated 21.02.2022 and to issue Legal Heirs Certificate of Late Mr.Arun.

For Petitioner : Ms.S.Deepika

For Respondents : Mr.S.J.Mohammed Sathik
Government Advocate

ORDER

This writ petition has been filed seeking for a Mandamus to direct the second respondent to consider the petitioner's application dated 21.02.2022 and consequently direct the second respondent to issue legal heirship certificate for her husband late Arun within a time frame to be fixed by this Court.

2. The petitioner claims that she is the legally wedded wife of Arun, who died on 06.05.2021. She has submitted an application before the second respondent on 21.02.2022, seeking for legal heirship certificate for her deceased husband Mr.Arun. Since the said application has not been considered till date, she has filed the present writ petition.



3. By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

4. Heard Ms.S.Deepika, learned counsel for the petitioner. Mr.S.J.Mohammed Sathik, learned Government Advocate accepts notice on behalf of the respondents.

5. In the affidavit filed in support of the writ petition, the petitioner has stated that she is the legally wedded wife and apart from her, the deceased Arun, who is her husband, has left behind his mother as the other legal heir.

6. Admittedly, the application dated 21.02.2022 submitted by the petitioner seeking for issuance of legal heirship certificate for the deceased husband Mr.Arun has not been considered till date. The petitioner has enclosed documents along with this writ petition to substantiate her claim that she is one of the legal heirs of the deceased husband Mr.Arun.

7. No prejudice would be caused to the respondents if the petitioner's application is considered on merits and in accordance with law after affording a fair hearing to the petitioner and the other legal heirs of the deceased Mr.Arun, including his mother Tmt.Shanthi.

8. For the foregoing reasons, this Court directs The Tahsildar, Vandalur, Chengalpet District to pass final order on the petitioner's application dated 21.02.2022, seeking for issuance of legal heirship certificate for her deceased husband Mr.Arun, who died on 06.05.2021 within a period of twelve weeks from the date of receipt of a copy of this order after affording a fair hearing to the petitioner and the other legal heirs of the deceased, including Tmt.Shanthi, the mother of the deceased, including granting them the right of personal hearing.

With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sr



To

1. The District Collector,
Chengalpet District,
Chengalpet - 603 001.
2. The Tahsildar,
Guduvancherry Taluk District,
Chengalpet - 603 202.
3. The Tahsildar,
Vandalur,
Chengalpet District.

+1cc to Ms.S.Deepika, Advocate, S.R.No.34906
+1cc to the Government Pleader, S.R.No.35338

W.P.NO.14661 OF 2022

GSM(CO)
PBS/30/06/2022