



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.06.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.14885 of 2022

and

W.M.P.No.14087 of 2022

S.Gulzar Begum

..Petitioner

-Vs-

1. The District Collector,
District Collectorate,
Salem District,
Salem - 636 001.
2. The Revenue Divisional Officer,
Revenue Divisinal Office,
Soormangalam,
Salem - 636 005.
3. The Thasildar,
Salem Taluk Office,
Hasthampatti,
Salem - 636 007.
4. Fatima,
No.10, Syed Jalali Street,
Fort,
Salem - 636 001.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the 2nd respondent herein to consider and pass orders on the appeal dated 04.02.2022 in seeking to cancel the Legal Heirship certificate No.TN-7202112132136 dated 09.01.2022 and issue fresh certificate certifying the petitioner as the legal heir of her deceased husband J.Jani Batcha.

For Petitioner : Mr.G.Arul Murugan

For Respondents : Mr.K.H.Ravikumar,
Government Advocate or R1 to R3



O R D E R

This writ petition has been filed seeking for a limited relief. The petitioner seeks for earlier disposal of her statutory appeal which is pending on the file of the 2nd respondent. The petitioner has filed the statutory appeal aggrieved by the issuance of the legal heir certificate dated 09.01.2022 excluding her as one of the legal heirs of the deceased. According to the petitioner, the deceased is the husband and therefore, she is the legal heir.

2. No prejudice would be caused to the respondents if a direction is issued to the 2nd respondent to dispose of the statutory appeal within a time frame to be fixed by this Court.

3. For the forgoing reasons, this Court directs the 2nd respondent to pass final orders on the petitioner's statutory appeal dated 04.02.2022 seeking to cancel the legal heirship certificate dated 09.01.2022 and issue a fresh certificate including the name of the petitioner as the legal heir of the deceased J.Jani Batcha, within a period of three months from the date of receipt of a copy of this order after affording a fair hearing to the petitioner and other legal heirs of the deceased J.Jani Batcha.

4. With the aforesaid directions, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The District Collector,
District Collectorate,
Salem District,
Salem - 636 001.
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Soormangalam,
Salem - 636 005.



3. The Thasildar,
Salem Taluk Office,
Hasthampatti,
Salem - 636 007.

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+1cc to Mr.Arul Murugan, Advocate, S.R.No.35772
+1cc to the Government Pleader, S.R.No.36449

W.P.No.14885 of 2022

MG (CO)
SB (24/06/2022)