



1

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2022

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.32720 of 2022

J.Sagayaraj

.. Petitioner

Vs.

The Tahsildar
Tondiarpet Taluk,
Tondiarpet,
Chennai – 600 081.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent herein to consider the petitioner's representation dated 13.08.2022 and consequently act in accordance with law by conducting an enquiry and consequentially issue a Legal Heir Certificate in respect of the petitioner's deceased father Mr.G.Jaimali.

For Petitioner .. Mr.A.Thirumaran

For Respondent .. Mr.M.Muthusamy, Govt. Advocate



WEB COPY



ORDER

This Writ Petition has been filed seeking a direction against the respondent / Tahsildar, Tondiarpet Taluk, Chennai, to consider the representation of the petitioner dated 13.08.2022 and issue Legal Heirship Certificate with respect to the father of the petitioner, G.Jaimali.

2.In the affidavit filed in support of the said petition, it had been stated that the father and mother of the petitioner were married on 06.05.1981 and they had two sons namely, the petitioner herein, J.Sagayaraj and his brother J.Arokiyaraj. It had been stated that the father G.Jaimali died due to Covid-19 on 07.05.2021. The petitioner had applied for the Legal Heirship Certificate.

3.The learned Government Advocate for the respondent, however stated that the father of the petitioner had relationship with another lady and a daughter born through that relationship.



WEB COPY



4.If that be the case, then the issue of Legal Heirship Certificate should be settled only by way of instituting a Civil Suit. In the present Writ Petition relief cannot be granted particularly, in the absence of the person, who had given the complaint objecting the grant of Legal Heirship Certificate. The petitioner may therefore file a Civil Suit before the competent Court and obtain necessary orders. This Writ Petition stands dismissed. No costs.

14.12.2022

Index:Yes/No
Internet:Yes/No
smv

To

The Tahsildar
Tondiarpet Taluk,
Tondiarpet,
Chennai – 600 081.



WEB COPY



4

C.V.KARTHIKEYAN,J.

smv

W.P.No.32720 of 2022

14.12.2022