



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) No.104 of 2022

and

W.M.P (MD) No.84 of 2022

WEB COPY

T.Muthupandi

... Petitioner

vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Tahsildar,
Taluk Office,
Ambasamudram Taluk,
Ambasamudram,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the proceedings of the impugned order in Application No.TN-7202101111037 Transaction Reference No.TNVLETNV05700620, dated Nil passed by the second respondent and quash the same as illegal and further direct the second respondent herein to issue legal heir certificate to the petitioner.

For Petitioner : Mr.M.Maran

For Respondents : Mr.S.Shamugavel

Additional Government Pleader

O R D E R

The writ petition has been filed in the nature of Writ of Certiorarified Mandamus, seeking interference with an impugned order passed by the second respondent.

2.The petitioner's parents had two girls and the petitioner. One of the sister of the petitioner was born in the year 1958, another sister was born in the year 1960, the petitioner was born in the year 1964. His father died on 05.08.1965. His mother died on 12.05.1968. The petitioner seeks to get the legal heirship certificate of his parents. Unfortunately, the death of the parents were not registered. Then, he obtained the death certificates on 05.11.2020. Thereafter, he applied for legal heirship certificate. That was rejected stating that the petitioner was shown as born in the year 1965. The improbability of the birth of the petitioner was pointed out.



3.The learned counsel for the petitioner can with much pleasure discharge his duty as a learned counsel assist his own clients to get proper certificates with the correct date of birth and thereafter, he can advise them to apply for legal heirship certificate. The learned counsel shifts the blame to the petitioners claiming that they are illiterate. But however, now that he is acting as a bridge between them and the officials, he can discharge his duty with much pleasure and I really hope that he does so. After the certificates are regularised with the date of birth, the petitioner is permitted and given liberty to apply for fresh legal heirship certificate. I am confident that if done so, the legal heirship certificate would be issued if the application is otherwise in order.

4.Giving that particular liberty, the Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sjj

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Tahsildar,
Taluk Office,
Ambasamudram Taluk,
Ambasamudram,
Tirunelveli District.

+1 CC to M/s.SPL.GP (SR-746[F] dated 07/01/2022)

W.P. (MD) No.104 of 2022
06.01.2022

NSN(CO)
KB(25.01.2022) 2P 4C

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