



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) No.746 of 2022

1.K.K.Shanthi
2.R.P.Jeyanthi

... Petitioners

vs.

The Tahsildar,
Madurai South,
Collector Office,
Madurai-625 020.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondent to consider the petitioner's representation, dated 20.10.2021 and to issue legal heir certificate to the petitioners as per the Hindu Succession Act, under Section 18 Class II heirs within stipulated time fixed by this Court.

For Petitioner : Mr.T.R.Subramanian

For Respondent : Mr.S.Kameswaran
Government Advocate

O R D E R

Heard Mr.T.R.Subramanian, learned counsel for the petitioner and Mr.S.Kameswaran, learned Government Advocate, takes notice on behalf of the respondent.

2.The present writ petition has been filed by the petitioners/sisters claiming legal heirship certificate with respect to their deceased two brothers, namely, T.J.Venkatesh and T.J.Sivanath, who died on 07.05.2020 and 15.08.2019. Both the brothers died as bachelors. It is also claimed that the mother, had predeceased their two brothers and copies of the death certificates filed along with the writ petition.

3.It is also seen that a previous legal heirship certificate dated 26.05.2015 is also enclosed. The petitioners claim right to be recognized as legal heirs, in view of their status as class II legal heirs of both their brothers. The mother has also died. Therefore, there are no class I legal heirs surviving the brothers who died as bachelors. The petitioners/sisters are the next in line claiming right as class II legal heirs.

4.A direction is issued to the Tahsildar, Madurai South, Collector Office, Madurai to make necessary enquiry and issue legal

<https://hcservices.ecourts.gov.in/hcservices/>



heirship certificate within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above observations, the Writ Petition stands disposed of. No costs.

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Sd/-

Assistant Registrar (CRL)

// 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

The Tahsildar,
Madurai South,
Collector Office,
Madurai-625 020.

+1 CC to M/s.T.R.SUBRAMANIAN, Advocate(SR-1997[F] dated 21/01/2022)

+1 CC to M/s.SPL.GP (SR-2188[F] dated 24/01/2022)

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