



W.P(MD)No.1521 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.1521 of 2021

P.Govindammal @ Rajammal

... Petitioner

Vs.

1.The Tahsildar,
Dindigul East,
Dindigul District.

2.The Village Administrative Officer,
Mullipadi Village,
Dindigul East,
Dindigul.

3.Palanisamy
*(R3 is impleaded vide order dated 28.06.2021
in W.M.P.(MD)No.2861 of 2021 in
W.P.(MD)No.1521 of 2021 by NAVJ)*

4.Erranga Gounder
*(R4 is impleaded vide order dated 07.07.2022
in W.M.P.(MD)No.9231 of 2021 in
W.P.(MD)No.1521 of 2021 by GRSJ)*

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, to direct the 1st respondent to
pass order on the petitioner's legal heir application dated 26.12.2020 pending



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before the 1st respondent office, within a stipulated time to be fixed by this Court.

For Petitioner : Mrs.J.Anandhavalli
For Mr.SP.Vijay Nivas

For Respondents : Mr.M.Prakash,
Addl. Government Pleader for R1 & R2.
Mr.R.Nandakumar for R3
Mr.M.S.Sheika Abdullah for R4

ORDER

Heard the learned counsel on either side.

2.The petitioner applied to the first respondent seeking issuance of legal heir certificate. The first respondent had not processed her application on the ground that the petitioner falls under class-II category. The stand of the first respondent is not correct. It has been held time and again that even class-II legal heirs are entitled to legal heir certificate. But in this case as rightly pointed out by the learned counsel for the impleaded fourth respondent, the petitioner is not the only class-II legal heir and there are quite a few other legal heirs. The third respondent also states that the deceased Veerathimmamal had executed a Will in his favour. The genuineness of the Will will have to be established elsewhere. I am concerned only with the issuance of legal heir



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certificate. The first respondent is therefore directed to hold an enquiry, hear the petitioner as well as the third respondent and issue legal heir certificate, which will include all the class-II legal heirs of deceased Veerathimmamam. This exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

3.This writ petition is disposed of accordingly. No costs.

07.07.2022

Index : Yes / No
Internet : Yes/ No
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To:

1.The Tahsildar,
Dindigul East,
Dindigul District.

2.The Village Administrative Officer,
Mullipadi Village,
Dindigul East,
Dindigul.



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G.R.SWAMINATHAN, J.

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