



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.1664 of 2022

M.Muthaiyan

... Petitioner

vs.

1.The District Collector
Trichy District, Trichy.

2.The Revenue Divisional Officer,
Collectorate Campus, Trichy District, Trichy.

3.The Tahsildar
Trichy West Taluk, Trichy.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the second and third respondents to issue fresh Legal Heir Certificate by including the petitioner's name M.Muthaiyan (aged 74 years) and his two daughters' name M.Poonguzhali (aged 50 years) and M.Krithikadevi (aged 46 years), by considering the petitioner's representation dated 11.01.2022.

For Petitioner :Mr.G.Balumahendran

For Respondents :Mr.M.Lingadurai
Special Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the second and third respondents to issue fresh Legal Heir Certificate by including the petitioner's names, M.Muthaiyan (aged 74 years) and his two daughters' name M.Poonguzhali (aged 50 years) and M.Krithikadevi (aged 46 years), by considering the petitioner's representation dated 11.01.2022 within a time frame to be fixed by this Court.

2.Today, when the matter is taken up for hearing, Mr.M.Linga Durai, learned Special Government Pleader appearing for the respondents has placed before this Court a copy of legal heirship certificate, dated 31.01.2022 issued by the third respondent based on the petitioner's representation, dated 11.01.2022.

3.In the legal heirship certificate, the names of M.Muthaiyan, M.Poonguzhali and M.Krithikadevi have been disclosed as legal heirs of the deceased Radha, wife of M.Muthaiyan. A copy of the same has also been given to the learned Counsel for the petitioner.



4.However, the learned Counsel for the petitioner would submit that the marital status of M.Poonguzhali has been wrongly mentioned as married, whereas, she is an unmarried person.

5.If such being the case, a direction can be issued to the respondents to consider the petitioner's request as and when it is given to rectify the alleged error in the legal heirship certificate, dated 31.01.2022 issued for Radha, wife of M.Muthaiyan.

6.After recording the statements made by the respective Counsels, this Writ Petition is disposed of by permitting the petitioner to give a representation to the third respondent requesting him to correct the alleged error found insofar as the marital status of M.Poonguzhali in the legal heirship certificate, dated 31.01.2022 issued for Radha, wife of M.Muthaiyan, is concerned, within a period of one week from the date of receipt of a copy of this order. On receipt of the same, the third respondent shall pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner within a period of six weeks thereafter. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cmr

To

1.The District Collector
Trichy District, Trichy.

2.The Revenue Divisional Officer,
Collectorate Campus, Trichy District, Trichy.

3.The Tahsildar
Trichy West Taluk, Trichy.

+1 CC to M/s.SPL GP (SR-12485[F] dated 16/03/2022)

+1 CC to M/s.R.YAMUNA, Advocate (SR-12783[F] dated 17/03/2022)

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