



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.5374 of 2022

M.Sumathy @ Aandal

... Petitioner

Vs.

1.The District Collector,
Collectorate Building,
Trichy District.

2.The Tahsildar,
Sri Rangam Taluk,
Trichy District.

3.The Village Administrative Officer,
Thiruvalarsolai Village,
Trichy.

4.Kiran

5.Karan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 15.12.2021 for issuance of the legal heir certificate in respect of petitioner's husband Rajendran S/o. Veerasamy Naidu.

For Petitioner : Mr.S.Moorthy

For Respondents 1 to 3 : 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 respondent to consider the petitioner's representation dated 15.12.2021, seeking for issuance of legal heirship certificate for her deceased husband Rajendran, within a time frame to be fixed by this Court.

2.According to the petitioner, she is the first wife of her deceased husband Rajendran, who died on 10.01.2021. She has applied for his legal heirship certificate on 15.12.2021. Since the said legal heirship certificate has not been issued till date, the petitioner has filed this writ petition. According to the petitioner, the fourth and fifth respondents are the children of one Kavitha, who is the second wife of the deceased Rajendran.



3.Heard Mr.S.Moorthy, learned Counsel appearing for the writ petitioner and Mr.M.Lingadurai, learned Special Government Pleader who accepts notice on behalf of the respondents 1 to 3.

4.On instructions, learned Special Government Pleader would submit that the petitioner will have to submit an online application to enable her to get legal heirship certificate for her deceased husband.

5.Learned Counsel for the petitioner on instructions would submit that the petitioner is willing to submit a fresh online application seeking for issuance of legal heirship certificate for her deceased husband Rajendran. The said statement is recorded.

6.No prejudice would be caused to the official respondents if the petitioner is permitted to submit a fresh online application seeking for issuance of legal heirship certificate for her deceased husband Rajendran and the second respondent is directed to consider the same on merits and in accordance with law after affording a fair hearing to the petitioner and other legal heirs of the deceased Rajendran including the fourth and fifth respondents within a time frame to be fixed by this Court.

7.Accordingly, this Court directs the petitioner to submit a fresh online application seeking for issuance of legal heirship certificate for her deceased husband Rajendran within two [2] weeks from the date of receipt of a copy of this order and on receipt of the same, the second respondent shall pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner and other legal heirs including the fourth and fifth respondents within three [3] months thereafter.

8.With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

To

1.The District Collector,
Collectorate Building,
Trichy District.

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



2.The Tahsildar,
Sri Rangam Taluk,
Trichy District.

3.The Village Administrative Officer,
Thiruvallarsalai Village,
Trichy.

+1 CC to M/s.S.MOORTHY, Advocate (SR-14790[F] dated 28/03/2022)

+1 CC to M/s.SPL GP (SR-14941[F] dated 28/03/2022)

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