



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.8144 of 2022

WEB COPY

Minor P.S.Harisnika
represented by her Mother, K.Sujatha ... Petitioner

vs.

1.The District Collector, Madurai District, Madurai.
2.The Tahsildar, Thiruparamkumdrum Taluk,
Madurai District. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the second respondent to issue 2nd class legal heir certificate to the petitioner for the deceased Subbiah and Ranjanamala based the petitioner's representation, dated 13.01.2022 within a time stipulated by this Court.

For Petitioner :Mr.J.John
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 respondent to issue second class legal heir certificate for the deceased Subbiah and Ranjanamala based on the petitioner's representation, dated 13.01.2022, within a time frame to be fixed by this Court.

2.According to the petitioner, Subbiah and Ranjanamala are her grandparents and both of them have died. Mr.Subbiah died on 12.06.2018 and Ranjanamala died on 26.06.2020. The petitioner seeks for issuance of class-II legal heir certificate for her deceased grandparents. According to the petitioner, Subbiah and Ranjanamala had two sons. One son died issueless. The other son, Prabu Shankar, who is the petitioner's father, is missing since 2019. Therefore, according to the petitioner, she is entitled to get legal heir certificate for her deceased grandparents. She has given a representation on 13.01.2022 for the said purpose. Since the said representation has not been considered till date, she has filed this Writ Petition.



3.Heard Mr.J.John, learned Counsel for the petitioner and Mr. M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the respondents

4.No prejudice will be caused to the respondents, if the petitioner's representation seeking for issuance of class-II legal heir certificate for her deceased grandparents is considered on merits and in accordance with law after affording a fair hearing to the petitioner and any other necessary party whom the second respondent deems fit to enquire.

5.For the foregoing reasons, this Court directs the second respondent to consider the petitioner's representation, dated 13.01.2022 seeking for issuance of class-II legal heir certificate for her deceased grandparents, Subbiah and Ranjanamala, and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner and any other necessary party whom the second respondent deems fit to enquire, within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the aforesaid directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cmr

To

1.The District Collector, Madurai District, Madurai.

2.The Tahsildar, Thiruparamkumdrum Taluk,
Madurai District.

+1 CC to M/s.K. JOHN, Advocate (SR-21675[F] dated 27/04/2022)

+1 CC to M/s.SPL.GP (SR-22381[F] dated 28/04/2022)

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RD(25.05.2022) 2P 5C