



W.P(MD)No.9350 of 2019

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.9350 of 2019

K.Rajakumar

... Petitioner

Vs

The Tahsildar,
Killiyoor,
Kanyakumari District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to issue legal heir certificate for the demise of G.Masilamani, the Junior father of the petitioner who died on 20.11.2018 only the petitioner and others as legal heirs by considering the representation of the petitioner dated 14.03.2019 within a time frame that may be fixed by this Court.

For Petitioner : Mr.S.C.Herold Singh

For Respondent : Mr.M.Lingadurai
Special Government Pleader

ORDER

Heard the learned counsel on either side.



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2. The petitioner's paternal uncle Thiru.G.Masilamani had passed away on 20.10.2018. According to the petitioner his uncle's wife had predeceased him. They did not leave behind any children. The petitioner would claim that he and his siblings are Class II legal heirs of the deceased G.Masilamani. The respondent can very well issue Legal Heir Certificate even for Class II legal heirs.

3. I therefore direct the respondent to hold an enquiry and satisfying himself, pass appropriate order on merits and in accordance with law on the petitioner's application. The petitioner is directed to submit a fresh application and enclosed all the relevant records. After receipt of the same, final order will be passed twelve weeks thereafter. This writ petition is disposed of accordingly. There shall be no order as to costs.

12.12.2022

Index : Yes / No
Internet : Yes/ No
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To

The Tahsildar,
Killiyoor,
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