



W.P(MD)No.14188 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.14188 of 2022

Manikandan

... Petitioner

Vs.

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

2.The Tahsildhar,
Gujiliyamparai Taluk,
Tahsildhar's Office,
Gujiliyamparai Town,
Dindigul District.

... 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 2nd respondent to initiate appropriate enquiry upon representation of the petitioner dated 05.02.2022 and to issue legal heirship certificate to the petitioner and his family members in accordance with law within a time frame to be fixed by this Court.

For Petitioner : Mr.K.S.Kathiravan

For Respondents : Mr.M.Sarangan,
Addl. Government Advocate.



W.P(MD)No.14188 of 2022

ORDER

Heard the learned counsel on either side.

2.The petitioner seeks issuance of legal heir certificate for one Mariyappan. The said Mariyappan is said to have married thrice. The petitioner is the grandson born through the third wife. In the very nature of things, the jurisdictional Tahsildar will not be competent to go into such issues. It is only the jurisdictional civil Court that can take a call based on the evidence adduced before it. The petitioner is granted liberty to move the jurisdictional civil Court for obtaining declaration regarding legal heirship.

3.Leaving open the rights of the petitioner, the writ petition is disposed of. No costs.

26.07.2022

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

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Collectorate Building,
Dindigul.
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Gujiliyamparai Taluk,
Tahsildhar's Office,
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Dindigul District.



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G.R.SWAMINATHAN, J.

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