



**W.P.(MD)No.14706 of 2022**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 01.08.2022**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P.(MD)No.14706 of 2022**

**and**

**W.M.P(MD)Nos.10491 & 10492 of 2022**

P.Sasikumar

... Petitioner

**Vs**

1.The Revenue Divisional Officer,  
Paramakudi,  
Ramanathapuram District.

2.The Tahsildar,  
Muthukulathur Taluk,  
Ramanathapuram Taluk.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records pertaining to the impugned order issued by the second respondent in O.Mu.A6/1482/2022, dated 24.03.2021 and quash the same.

For Petitioner : Mr.M.Jegadeesh Pandian

For Respondents : Mr.K.Balasubramani  
Special Government Pleader



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## ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Special Government Pleader appearing for the respondents.

2. The writ petitioner's brother, namely, Ponnivalavan had passed away. The petitioner approached the second respondent for issuance of Legal Heir Certificate. The second respondent by the impugned memorandum dated 24.03.2021 declined to issue Legal Heir Certificate on the ground that the petitioner is a Class-II legal heir. It has been held in the decision reported in **2022 SCC Online Mad 144 (A.Balasubramanian Vs Additional Chief Secretary)**, that the Legal Heirship Certificate can be issued even to Class-II legal heirs provided there are no rival claimants.

3. Respectfully applying the said ratio, impugned memorandum is quashed. This writ petition is allowed. The matter is remitted to the file of the second respondent to hold an enquiry and pass order afresh on merits and in accordance with law within a period of eight weeks. Consequently, connected miscellaneous petitions are closed. No costs.

**01.08.2022**

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To

- 1.The Revenue Divisional Officer,  
Paramakudi,  
Ramanathapuram District.
- 2.The Tahsildar,  
Muthukulathur Taluk,  
Ramanathapuram Taluk.



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**G.R.SWAMINATHAN, J.**

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