



W.P.(MD)No.16519 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.16519 of 2022

and

W.M.P(MD)No.11938 of 2022

S.Pushpa Swarnalatha Malini

... Petitioner

Vs

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Revenue Divisional Officer,
Kovilpatti,
Thoothukudi District.

3.The Tahsildar,
Vilathikulam,
Thoothukudi District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the respondent in connection with the impugned order passed by the third respondent vide his Proceedings in Application No. TN720220312723 quashing it illegal and arbitrary and consequently direct the third respondent to issue petitioner the legal heir certificate within the time limit that may be stipulated by this Court.



For Petitioner : Mr.M.Shobana
For Respondent : Mr.M.Sarangan
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2. The petitioner asserts that she got married to one Subbiah and that she must be issued with Legal Heir Certificate. When she approach the third respondent her request was rejected. Challenging the same, this writ petition came to be filed.

3. When the matter was taken up for hearing, the learned Additional Government Pleader appearing for the respondents submitted that the petitioner is not an Indian Citizen, she is a Srilankan National. Her claim that she married Subbiah is not anchored on credible materials. The petitioner would state that she was working in Kuwait and she got married Subbiah there. The certificate is said to have been issued by the Ministry of Justice State of Kuwait. It shows the status of the petitioner as Muslim. Since there are no definite materials before the third respondent, the third respondent rightly declined to issue the certificate sought for. The petitioner has to necessarily move the jurisdictional civil Court.



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4. Leaving open the petitioner's rights and remedies, this writ petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

28.07.2022

Index : Yes / No
Internet : Yes/ No
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