



W.P(MD)No.17739 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.17739 of 2022

and

W.M.P.(MD)Nos.12931 and 12932 of 2022

Kaliyammal

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Kovilpatti.

2.The Tahsildar,
Kovilpatti Taluk Office,
Kovilpatti.

3.Karuppayee

4.Ganapathiyammal

5.Maheshwari

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned Legal Heir Certificate issued by the 2nd respondent dated 26.03.2001 in his proceedings Pa.Mu.4685/2001 and quash the same and consequently directing the respondents 1 and 2 to take necessary action against the respondents 3 to 5 for their impersonation and fraud within the time stipulated by this Court.



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For Petitioner : Mr.J.Parekhkumar

For Respondents : Mr.K.Balasubramani,
Spl. Government Pleader for R1 & R2.

ORDER

Heard the learned counsel for the writ petitioner and the learned Special Government Pleader for the respondents 1 and 2. Considering the nature of relief to be granted, issuance of notice to the private respondents is dispensed with.

2.The issue on hand is who are the legal heirs of Late.Shanmugavel Thevar. The petitioner claims that she is his wife. The private respondents have obtained legal heir certificate in March 2001 as if they are his daughters. In the said legal heir certificate, it has been further mentioned that the writ petitioner/Kaliyammal had passed away on 10.01.1975. According to the writ petitioner, the private respondents were not born to her through her husband. She would assert before this Court that the private respondents are utter strangers. The petitioner has filed an appeal before the first respondent for cancelling the said legal heir certificate dated 26.03.2001. The first respondent is directed to dispose of the said appeal on merits and in accordance with law



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within a period of eight weeks from the date of receipt of a copy of this order.

The first respondent shall issue notice to the respondents 3 to 5 before passing final order. I make it clear that I have not gone into the merits of the matter.

3.The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

08.08.2022

Index : Yes / No
Internet : Yes/ No
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Issue order copy on 10.08.2022.

To:-

1.The Revenue Divisional Officer,
Kovilpatti.

2.The Tahsildar,
Kovilpatti Taluk Office,
Kovilpatti.



WEB COPY



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G.R.SWAMINATHAN, J.

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