



W.P(MD)No.16154 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.10.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.16154 of 2014

K.Meenakshi Sundari

... Petitioner

Vs.

1.*****

(First respondent is deleted vide Court order, dated 12.10.2022, in W.M.P(MD)No.8091 of 2019 in W.P(MD)No.16154 of 2014)

2.The District Collector,
Collectorate Buildings,
Virudhunagar.

3.The Tahsildar,
Tahsildar Office,
Aruppukottai,
Virudhunagar District.

4.The District Employment Officer,
Employment Exchange Office,
Virudhunagar District,
Virudhunagar.

... Respondents



W.P(MD)No.16154 of 2014

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to accept the civil court decree, dated 21.08.2012, passed in O.S.No.997/2011 on the file of the Principal District Munsif Court, Madurai Town declaring the petitioner as the legal heir of the freedom fighter K.B. Kandasamy and to give all the benefits entitled by the petitioner as daughter of freedom fighter.

For Petitioner : M/s.S.Natarajan

For Respondents : M/s.B.Saravanan
Additional Government Pleader

ORDER

The present Writ Petition has been filed seeking a Writ of Mandamus, directing the respondents to accept a civil Court decree, in which, the petitioner was declared as the sole legal heir of deceased K.B.Kandasamy and Savithiri and further declare that the petitioner is entitled to all the benefits as daughter of the freedom fighter.

2. The petitioner is the daughter of one K.B.Kandasamy and Savithiri. The writ petitioner has filed O.S.No.997 of 2011 before the Principal District Munsif Court, Madurai, for declaring that her father



W.P(MD)No.16154 of 2014

K.B.Kandasamy was civilly dead and she is the sole legal heir of the said K.B.Kandasamy. In the said suit, the District Collector, Madurai was the sole defendant. The suit was decreed on 21.08.2012. Based upon the civil Court decree, the petitioner was granted, daughter of freedom fighters pension by way of proceedings, dated 02.06.2014. However, the petitioner could not get the other benefits of the family members of the freedom fighter. Hence, she had approached the revenue authorities for a proper legal heir certificate. The said applications have not been responded positively. Hence, the present writ petition.

3. Pending writ petition, this Court has directed the Tahsildar, Aruppukottai, to conduct an enquiry to find out whether the petitioner is the sole legal heir of deceased K.B.Kandasamy or not. He has conducted an enquiry and submitted a report, dated 11.10.2022, to the effect that the petitioner is the sole legal heir of the deceased K.B.Kandasamy.

4. In view of the above said report, the petitioner shall be entitled to all the benefits as the daughter of the freedom fighter. In view of the enquiry report, dated 11.10.2022, the petitioner shall be entitled to all the



W.P(MD)No.16154 of 2014

benefits as daughter of deceased freedom fighter, namely, late K.B.Kandasamy. A copy of the report has been furnished to the learned Counsel for the petitioner.

5. In view of the above said deliberations, the writ petition stands allowed. There shall be no order as to costs.

12.10.2022

Index : Yes / No
Internet : Yes / No
btr

Note: Registry is directed to carry out necessary amendments in the cause-title.

To

- 1.The District Collector,
Collectorate Buildings,
Virudhunagar.
- 2.The Tahsildar,
Tahsildar Office,
Aruppukottai,
Virudhunagar District.
- 3.The District Employment Officer,
Employment Exchange Office,
Virudhunagar District, Virudhunagar.

4/5



W.P(MD)No.16154 of 2014

R.VIJAYAKUMAR, J.

btr

Order made in
W.P(MD)No.16154 of 2014

12.10.2022