



W.P.(MD).No.22161 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.10.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.22161 of 2022

Chellammal

... Petitioner

VS.

The Tahsildar,
Madurai East Taluk Office,
Madurai,
Madurai District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to issue legal heirship certificate of Late Thavamani to the name of the petitioner, on the basis of the petitioner's application No.720220810125 dated 10.08.2021 within a stipulated time as fixed by this Court.

For Petitioner : Mr.S.Shanmugam

For R1 & R2 : Mr.A.Kannan,
Additional Government Pleader



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ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondent to issue legal heirship certificate of Late Thavamani to the name of the petitioner, on the basis of the petitioner's Application No.720220810125, dated 10.08.2021.

2. The case of the petitioner is that she was married to Late Thavamani in the year 1983, after the death of his first wife viz., Chinnammal. The petitioner's husband died on 12.12.2021. Hence, she applied for legal heir certificate through e-sevai mayyam and the registration fee was also paid. The petitioner's application number is TN720220810125, dated 10.08.2021. But the respondent refused to issue legal heir certificate to the petitioner. The petitioner has also annexed her Aadhar Card, her husband's Aadhar Card, Family Card and Death Certificate where her marital status was mentioned. As per the Circular issued by the Revenue Administration, Disaster Management and Mitigation Department in Circular No.11/2017, Rc.No.RA.



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5(3)/180/2017, dated 09.08.2017, after completing the registration process and payment through online, the legal heir certificate has to be issued within 15 days from the date of payment. But the respondent herein has not issued the legal heir certificate within a time. Hence, the present writ petition has been filed.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondent.

4. Considering the above facts, this Court is of the view that the first wife of Late Thavamani died in the year 1983 and he married the petitioner in the year 1983, to take care of 3 ½ years and 17 days old children. Hence, the respondent is directed to consider the petitioner's application No.720220810125, dated 10.08.2021 and pass appropriate orders, based on the application filed by her, within a period of six weeks from the date of receipt of a copy of this order.



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5. With the above direction, this Writ Petition is disposed of. No costs.

18.10.2022

Index: Yes/No
Internet: Yes/No

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To

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Madurai East Taluk Office,
Madurai,
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V.BHAVANI SUBBAROYAN,J.

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