



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.06.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.7180 of 2017

N.Nagalakshmi

... Petitioner

Vs

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Tahsildhar,
Paramakudi Taluk,
Ramanathapuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for records pertaining to the impugned order in Na.Ka.No. / B6/2774/2017 dated 28.03.2017 on the file of the second respondent and quash the same as illegal and consequently, to direct the second respondent to issue Legal Heir Certificate of the petitioner's brother late Nagarajan.

For Petitioner : Mr.R.Venkatesan
For Respondents : Mr.G.Sivaraja
Government Advocate

ORDER

Heard the learned counsel on either side.

2. The case of the petitioner is that her brother Nagarajan died as a bachelor without leaving any issues. The petitioner approached the second respondent for issuance of Legal Heir Certificate. Her request was rejected by the impugned order dated 28.03.2017, on the ground that the petitioner is a Class II legal heir. It has already been held in a number of decisions that even a Class II legal heir is entitled to legal heir certificate.

3. In this view of the matter the order impugned is quashed. The writ petition is allowed. The petitioner is directed to submit a fresh application to the second respondent furnishing all the



particulars. The second respondent after due enquiry shall pass order on the petitioner's application within a period of eight weeks thereafter. No costs.

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Sd/-

Assistant Registrar (CS II)

/06/2022

Sub Assistant Registrar(CS)

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To

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Tahsildhar,
Paramakudi Taluk,
Ramanathapuram District.

+1 CC to M/s.R. VENKATESAN, Advocate (SR-25957[F] dated 15/06/2022)

+1 CC to M/s.SPL.GP (SR-26125[F] dated 16/06/2022)

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SS/29/06/2022/ 2P 5C