



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 08.11.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.25314 of 2022

Soosai

..Petitioner

Vs

1.The District Collector,
Tiruchirappalli District,
Tiruchirappalli.

2.The Tahsildar,
Taluk Office,
Manapparai,
Tiruchirappalli District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the second respondent to issue legal heirship certificate to the Petitioner based on the judgment, dated 8.10.2013 made in O.S.No.385 of 2012, by the District Munsif, Manapparai and based on the Petitioner's representation, dated 26.09.2022 given to the respondents.

For Petitioner :Mr.T.M.Madasamy

For Respondents:Mr.D.Gandhiraj
1 and 2 Special Govt.Pleader

ORDER

The Petitioner has prayed for issuance of a Writ of Mandamus directing the second respondent to issue legal heirship certificate to the



of 2012, by the District Munsif, Manapparai and based on the Petitioner's representation, dated 26.09.2022 given to the respondents.

2. Mr. D. Gandhiraj, learned Special Government Pleader takes notice for the respondents 1 and 2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. The case of the Petitioner is that the Petitioner's father namely, Arockiyam lived with the Petitioner in Etchimarathupatti, Hamlet of Mookkareddipatti Village, Manapparai Taluk, Tiruchirappalli District and on 28.6.1990, the Petitioner's father died due to illness, leaving her mother Mariyammal and the petitioner himself as his legal heirs. After that her mother also died on 5.6.1999. Then the Petitioner is the only legal heir of his father. Whiles, the Petitioner submitted an application to the second respondent in the year 2012 seeking for legal heirship certificate and the same was refused stating that the Petitioner's application is made after ten years and advised the Petitioner to approach the Court of Law and get appropriate orders for issuance of legal heirship certificate. Hence, the Petitioner filed O.S.No.385 of 2012, on the file of the District Munsif Court, Manapparai to declare the Petitioner herself as the only legal heir of her father namely, Arockiam and the suit was decreed on 8.10.2013. Thereafter, the Petitioner submitted a representation to the second respondent on 26.09.2022, marking a copy to the first



respondent. Since no action was taken till date, the Petitioner has come forward with this Writ Petition for the relief stated supra.

4.The learned Special Government Pleader appearing for the respondents 1 and 2 would submit that the Petitioner's representation, dated 26.09.2022 will be considered by the authorities concerned based on the decree passed in O.S.No.385 of 2012 and appropriate orders will be passed, as per law, within the time limit specified by this Court.

5.In view of the above submission, this Court, without going into the merits of the matter, directs the second respondent to consider the representation of the Petitioner, dated 26.09.2022 and pass appropriate orders on merits and in accordance with law and based on the decree passed in O.S.No.385 of 2002,dated 8.10.2013, on the file of the District Munsif Court, Manapparai, within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the above direction, the Writ Petition stands disposed of. No costs.

08.11.2022

Index : Yes/No

Internet:Yes/No

vsn

<https://www.mhc.tn.gov.in/judis>



To

1. The District Collector,
Tiruchirappalli District,
Tiruchirappalli.
2. The Tahsildar,
Taluk Office,
Manapparai,
Tiruchirappalli District.



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V.BHAVANI SUBBAROYAN,J

vsn

ORDER MADE IN

W.P(MD)No.25314 of 2022

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