



W.P.(MD).No.24132 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.09.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.24132 of 2019

M.Ananthakrishnan

... Petitioner

vs.

1.The District Collector,
Karur District.

2.The Tahsildar,
Karur Taluk,
Karur District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to take necessary action, based on the petitioner's representation made before them earlier since the year 2017 and finally dated 24.11.2018 in respect of the requesting of the legal heirship certificate for petitioner's mother Pancholai, W/o.Muthan, within a time frame.



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W.P.(MD).No.24132 of 2019

For Petitioner : Mr.R.Chandrasekar

For Respondents : Mr.D.Sadiq Raja

Additional Government Pleader

ORDER

This Writ Petition is filed for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to take necessary action, based on the petitioner's representation dated 24.11.2018, in respect of the legal heirship certificate for the petitioner's mother viz., Pancholai, W/o.Muthan, within a time frame.

2. The petitioner has applied for the legal heir certificate in respect of his deceased mother Pancholai before the Tahsildar, Karur Taluk in May 2017. But the application was dismissed by the Tahsildar stating that they have already issued a legal heir certificate to the other legal heirs of the deceased Pancholai. Thereafter, the petitioner has sent an application on 30.07.2017 under the RTI Act, 2005, seeking information as to whom the legal heir certificate of the deceased Pancholai was



W.P.(MD).No.24132 of 2019

WEB COPY

issued. Despite several representations, no reply was given by the second respondent/Tahsildar. Therefore, again the petitioner has sent an application on 11.01.2018, under the RTI Act. On 19.02.2018, the second respondent has advised the petitioner to pay a fee through Treasury and apply again along with that chalan of remittance. The petitioner has remitted the said amount of Rs.8/- and sent a letter to the second respondent enclosing the remittance chalan for Rs.8/- dated 16.07.2018. However, till date no order has been passed. Hence, the present writ petition.

3. The learned Additional Government Pleader appearing for the respondents would submit that already on 09.06.2020 itself legal heir certificate has been issued in favour of Ananth Krishnan, Muniyammal, the surviving son and daughter and Lakshmi Ammal, Jayabalan and Periyasamy, the predeceased legal heirs.



W.P.(MD).No.24132 of 2019

WEB COPY

4. The learned counsel appearing for the petitioner would submit that now, the petitioner's age is 68 years and he is residing at 117- Thirukampuliyur, LN Samuthram Post, Karur Taluk, Karur District. But, in the legal heir certificate issued on 28.06.2016, the age of the petitioner and the other legal heirs has been wrongly mentioned as 46, 42, 48, 44 and 36.

5. In view of the above, it is left open to the petitioner to approach the authority concerned to correct the age of the said parties with relevant proof and the said authority viz., the Tahsildar, Karur Taluk, Karur District would look into this aspect and issue a fresh legal heir certificate with the correct age, within a period of four weeks thereon.

6. With the above observations, this Writ Petition is disposed of.
No costs.

06.09.2022

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W.P.(MD).No.24132 of 2019

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W.P.(MD).No.24132 of 2019

V.BHAVANI SUBBAROYAN,J.

akv

W.P(MD)No.24132 of 2019

06.09.2022