



WEB COPY



W.P.No.12499 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.12499 of 2020

M.Jothi

... Petitioner

Vs.

1.The Collector,
Thiruvellore District,
Tiruthani High Way,
Pin 602 001.

2.The Thasildar,
Ponneri Thaluk,
Thiruvellore District,
Pin 602 003.

3.Salsa Devi

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to issue a legal heir certificate including the name petitioner's daughter M.Deeksha as legal heir of S.Munivel as claimed by the petitioner in her representation dated 10.07.2020 in a time bound period.

For Petitioner : Mr.K.Mohanamurali
For Respondents : Mr.M.Alagu Goutham for R1 and R2
Government Advocate
Mr.K.Thenrajan for R3



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ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the second respondent to issue a legal heir certificate including the name petitioner's daughter M.Deeksha as legal heir of S.Munivel as claimed by the petitioner in her representation dated 10.07.2020 in a time bound period.

2.The case of the petitioner is that the petitioner is the wife of one Munivel and the said Munivel died on 10.04.2014 and after his demise, the petitioner made representation to the official respondents seeking issuance of legal heir certificate and since the same has not yet been considered, has filed this writ petition.

3.Heard the arguments advanced on either side and perused the materials available on record.

4.Perusal of records reveal that the petitioner is the second wife of Munivel and she has one daughter. The third respondent is the first wife of Munivel and she has one daughter and one son. It further reveals that already the petitioner's daughter had made representation seeking to cancel the legal heir certificate issued in



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favour of the third respondent and the same was rejected on 29.10.2014 directing her to work out the remedy before Court. Instead of challenging the order dated 29.10.2014, the petitioner has filed this writ petition which is not sustainable one. Hence, the prayer sought for in this writ petition cannot be granted.

5.The writ petition is dismissed. However, liberty is granted to the petitioner as well as her daughter to challenge the order dated 29.10.2014 in the manner know to law or to approach the competent civil Court for appropriate remedy. No costs.

08.06.2023

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

1.The Collector,
Thiruvellore District,
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M.DHANDAPANI,J.
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