



W.P.(MD)No.433 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.03.2023

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P.(MD)No.433 of 2023

V.Paveena

... Petitioner

vs.

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

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records on the file of the respondent pertaining to its proceedings in Moo.Mu.No.4123/2022/A3, dated 14.10.2022 and to quash the same and consequently, to direct the respondent to issue legal heir certificate to the petitioner for the death of the petitioner's grandmother, Saraswathi, who died on 05.09.2012 within a time frame that may be fixed by this Court.

For Petitioner	:Mr.S.C.Herold Singh
For Respondent	:Mr.N.Muthu Vijayan Special Government Pleader



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W.P.(MD)No.433 of 2023

ORDER

This Writ Petition has been filed in the nature of Certiorarified Mandamus seeking interference with the order, dated 14.10.2022 passed by the Tahsildar, Madurai East Taluk, Madurai in Moo.Mu.No. 4123/2022/A3, with respect to the issuance of legal heirship certificate for the petitioner relating to the death of the grandmother of the petitioner, who died on 05.09.2012.

2.Heard Mr.Mr.S.C.Herold Singh, learned Counsel for the petitioner and Mr.N.Muthu Vijayan, learned Special Government Pleader for the respondent.

3.The petitioner's grandmother, Saraswathi, had died on 05.09.2012. Claiming to be a Class-II legal heir, the petitioner had applied for legal heirship certificate. That was rejected by the respondent herein.

4.Even though there is a provision for appeal, as against the said



W.P.(MD)No.433 of 2023

order, in view of the introduction G.O.(Ms)No.478, Revenue and Disaster Management, dated 29.09.2022, it would only be appropriate that the entire issue should be examined by the respondent. The order impugned is set aside. The matter is remitted back to the Tahsildar to examine the entire issue in accordance with guidelines issued in G.O. (Ms)No.478, referred to above. If any order is passed, the same must contain reasons and if an order is passed adverse to the petitioner, then the petitioner may file an appeal, as provided in the said Government Order. The respondent is directed to enquire into the entire issue and pass orders within a period of eight weeks from the date of receipt of a copy of this order.

5.The Writ Petition stands disposed of. No costs.

Index :Yes / No
Internet :Yes
NCC : Yes/No
cmr

13.03.2023

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

3/4



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W.P.(MD)No.433 of 2023

C.V.KARTHIKEYAN, J.

cmr

Order made in
W.P.(MD)No.433 of 2023

13.03.2023