



W.P(MD)No.417 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.417 of 2023

R.Sevuga Perumal

... Petitioner

Vs

The Tahsildar,
Ettaiyapuram Taluk,
Tuticorin District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to impugned order passed by the respondent in petitioner's online legal heir application number TN-7202010051732 dated 05.10.2020, and quash the same as illegal and consequently to direct the respondents to issue his father's legal heir certificate to the petitioner within time stipulated by this Court.

For Petitioner : Mr.K.P.Sankarakumarakuruparan

For Respondent : Mrs.S.Jeyapriya
Government Advocate



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ORDER

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Heard the learned counsel on either side.

2.The writ petitioner seeks issuance of legal heir certificate for his father. The petitioner's father passed away only on 01.10.2016. However, the respondent rejected the petitioner's request as if he has approached after a gap of twenty years. The reason set out in the impugned order is not correct. In any event, proper enquiry must be held by the respondent and thereafter final order passed. The order impugned in the writ petition is quashed. The matter is remitted to the file of the respondent. The respondent shall hold fresh enquiry and the petitioner must co-operate in the said enquiry. Final order shall be passed on merits and in accordance with law after notice to the interested persons within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition is allowed on these terms. There shall be no order as to costs.

27.01.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA



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To

The Tahsildar,
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G.R.SWAMINATHAN, J.

MGA

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