



W.P.(MD)No.1178 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 09.03.2023

CORAM

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

W.P.(MD)No.1178 of 2022

Esakkimuthu

... Petitioner

vs.

The Tahsildar,
Shenkottai, Tenkasi 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 pertaining to the impugned order passed by the respondent in Na.Ka.No.A5/2419/2019, dated 14.08.2019 and to quash the same and consequently, to direct the respondents to issue legal heirship certificate for the deceased maternal uncle of the petitioner, namely, late Subbiah Nadar within a time limit that may be fixed by this Court based on the application, dated 06.05.2019 submitted before the respondent.

For Petitioner :Mr.A.Rahul

For Respondent :Mr.N.Muthu Vijayan
Special Government Pleader



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ORDER

This Writ Petition has been filed in the nature of Writ of Certiorarified Mandamus, to quash the impugned order passed by the respondent in Na.Ka.No.A5/2419/2019, dated 14.08.2019 and consequently, to direct the respondents to issue legal heirship certificate for the deceased maternal uncle of the petitioner, namely, late Subbiah Nadar within a time limit that may be fixed by this Court based on the application, dated 06.05.2019 submitted before the respondent.

2.Heard Mr.A.Rahul, learned Counsel for the petitioner and Mr.N.Muthu Vijayan, learned Special Government Pleader for the respondent.

3.Even though the earlier application filed by the petitioner seeking recognition of Class-II legal heir has been disposed of by the Tahsildar/the second respondent herein, the petitioner is permitted to file a fresh application through online and if it is received, the second respondent may examine it in the light of G.O.(Ms)No.478, Revenue and



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Disaster Management, dated 29.09.2022 and pass necessary orders. If the Tahsildar requires any clarification, he may issue notice to the petitioner and obtain clarification and then pass necessary orders. There should be reasons for the orders, which has to be passed by the Tahsildar. The orders of the Tahsildar should be passed within a period of eight weeks from the date of receipt of fresh online application from the petitioner.

4.Recording as above, this Writ Petition stands disposed of. No costs.

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

09.03.2023

cmr

To

The Tahsildar,
Shenkottai, Tenkasi District.



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C.V.KARTHIKEYAN, J.

cmr

Order made in
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