



W.P(MD)No.2593 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.2593 of 2023

Jamal Beevi

... Petitioner

Vs

The Tahsildar,
Seranmahadevi Taluk,
Tirunelveli District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to implement the order passed in W.P.(MD)No.15772 of 2020 dated 10.11.2020 and to issue legal heir certificate on the basis of the representation given by the petitioner dated 16.01.2023 within a stipulated time fixed by this Court.

For Petitioner : Mr.J.Balameenakshi

For Respondent : Mr.A.K.Manikkam
Special Government Pleader

ORDER

Heard the learned counsel on either side.



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2.The petitioner seeks issuance of legal heir certificate. The petitioner's husband had earlier filed W.P(MD)No.15772 of 2020. It was allowed vide order dated 10.11.2020 and the respondent herein was directed to pass an order afresh on merits and in accordance with law. Since it has not been complied with, the present writ petition came to be filed.

3.Technically this writ petition will not lie. The petitioner will have to file a contempt petition. Be that as it may, when this Court had already passed a specific order, it is the duty of the respondent to pass an order afresh on merits and in accordance with law. Such an order will be passed by the respondent within a period of six weeks from the date of receipt of a copy of this order. I make it clear that I have not gone into the merits of the matter. The respondent has to put the interested persons on notice before passing final order.

4.This writ petition is disposed of accordingly. There shall be no order as to costs.

09.02.2023

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



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To

The Tahsildar,
Seranmahadevi Taluk,
Tirunelveli District.



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G.R.SWAMINATHAN, J.

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