



W.P(MD)No.3390 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.3390 of 2022
and WMP(MD)No.2974 of 2022

K.Syed Rabiya

... Petitioner

Vs

1. The Tahsildar,
Nilakottai, Dindigul District.
2. The Village Administrative Officer,
Nilakottai, Dindigul District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the first respondent vide his proceedings Na.Ka. No. 3380/2021/A5, dated 19.08.2021 and quash the same as illegal and consequently to direct the first respondent to issue a legal heir certificate of the deceased P.Kamaal excluding the heirs of the predeceased, within the time that may be stipulated by this Court.

For Petitioner

: Mr.H.Mohammed Imran
for Ajmal Associates



WEB COPY



W.P(MD)No.3390 of 2022

For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

The Writ Petition has been filed in the nature of Certiorarified Mandamus, questioning the order of the first respondent/Tahsildar, Nilakottai, Dindigul District, wherein, the legal-heirship certificate of Syed P.Kamaal, who died on 23.12.2018 was given by including the predeceased married daughter, as one of the legal heirs.

2.The legal-heirship certificate will be issued to the persons who are all related to the deceased person, either directly or indirectly. The name of predeceased married daughter has to be included, since the fact that she was a daughter of the deceased cannot be disputed. Therefore, no further clarification is required in the impugned order.

3.A direction is given to the petitioner to give a fresh application, through online and the first respondent should examine the same and issue a legal-heirship certificate to the petitioner, in accordance with law. The said exercise should be completed by the first respondent, within a period of six



W.P(MD)No.3390 of 2022

weeks, from the date of receipt of a copy of this order.

WEB COPY

4. With the above direction, this Writ Petition stands disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

20.03.2023

NCS : Yes/No
Index : Yes / No
Internet: Yes/ No

PNM

To

1. The Tahsildar,
Nilakottai, Dindigul District.
2. The Village Administrative Officer,
Nilakottai, Dindigul District.



WEB COPY



W.P(MD)No.3390 of 2022

C.V.KARTHIKEYAN, J.

PNM

ORDER IN
W.P(MD).No.3390 of 2022
and WMP(MD)No.2974 of 2022

20.03.2023