

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.03.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.6802 of 2023

Neethi Mugan

... Petitioner

Vs

The Tahsildar,
Melur Taluk, Madurai District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, direct the respondent to grant 2nd class legal heir certificate based on the petitioner's representation dated 16.02.2023.

For Petitioner : Mr.S.Prabhu

For Respondent : Mr.J.Ashok
Additional Government Pleader

ORDER

The Writ Petition has been filed in the nature of Mandamus, seeking a direction against the respondent to grant Class II legal heir certificate, based on the petitioner's representation, dated 16.02.2023.

2.The petitioner states that his grandfather Karuppaiah, died on 16.08.2011, leaving behind the grandmother of petitioner, father of the petitioner and two paternal aunts and one paternal uncle. The paternal uncle of the petitioner Sivakumar had obtained customary divorce from his wife and lived with the petitioner's family and died on 07.06.2021. The petitioner alone did the final rites for his paternal uncle. Hence, the petitioner claims recognition as Class-II legal heirs of his paternal uncle deceased Sivakumar.

3.Let the petitioner apply for legal-heirship certificate through online under the provision of G.O.Ms.No.478, dated 29.09.2022 and if it is so filed, the respondent/Tahsildar, Melur Taluk, Madurai District is directed to issue notice to all the brothers and sisters of the deceased Sivakumar and thereafter, take a decision, whether the petitioner can be recognized as Class-II legal heir of the deceased Sivakumar. The said exercise should be

completed within a period of twelve weeks, from the date of filing of online application by the petitioner.

4.With the above directions, this writ petition stands disposed of.

No costs.

29.03.2023

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

To

The Tahsildar,
Melur Taluk, Madurai District.

C.V.KARTHIKEYAN, J.

PNM

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