



WP(MD)No.13975 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 17.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE **B. PUGALENDHI**

WP (MD) No.13975 of 2022
and
WMP (MD) .9944 of 2022

1.Floria @ Asma Begum

2.J.Darathy Mary @
A.Rifaya Begum

3.J.Sarubala @
A.Nasrinbanu

4.Minor J.Hashin Merico @
A.Ashifa Begum

... Petitioners

[Minor 4th petitioner is
represented by mother and natural
guardian 1st petitioner]

Vs

1.The Tahsildar,
Rameshwaram Taluk,
Rameshwaram,
Ramanathapuram District.

2.J.Selin Rose

... Respondents

[R-2 was impleaded vide court
order dated 28.07.2022 in
WMP (MD) No.10699 of 202]



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondent to issue legal heirship certificate to the petitioners 2 to 4 as they are the legal heirs of late J. John Kennedy within a time as stipulated by this Court.

For Petitioner : Mr.P.Gunasekaran
For Respondent : Mr.PT.Thiraviyam,
No.1 Government Advocate
For Respondent : Mr.D.Balamurugapandi
No.2

ORDER

The petitioners have submitted application through online on 18.04.2022 and 19.04.2022 seeking legal heir certificate and filed this writ petition for a writ of mandamus for a direction to the respondents to issue legal heir certificate to the petitioners.

2.The learned Government Advocate appearing for the 1st respondent based on the written instructions



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from the 1st respondent submits that the 1st petitioner had divorced the deceased John Kennedy even during his life time, therefore, the 1st petitioner cannot be issued with legal heir certificate and hence the applications have been rejected by orders dated 04.05.2022 and 21.06.2022.

3.The learned Counsel for the petitioners submits that in any event the application for legal heirship certificate for the children ought to have been considered.

4.In view of the above submission, this writ petition is disposed of with liberty to the petitioners to challenge the orders dated 04.05.2022 and 21.06.2022 in the manner known to law and the petitioners are also at liberty to submit a fresh application seeking legal heir certificate for the children and mother of the deceased John Kennedy and if such application is filed, the 1st respondent shall consider it and pass appropriate orders within a period of three weeks from the date of receipt of a



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copy of this order. No costs. Consequently connected
miscellaneous petition is closed.

17.08.2023

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

DSK

To

The Tahsildar,
Rameshwaram Taluk,
Rameshwaram,
Ramanathapuram District.



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B. PUGALENDHI , J .

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