



W.P(MD)No.13582 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.06.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.13582 of 2023

A.Mary Arcylin

... Petitioner

Vs.

1.The District Collector,
District Collector Office,
Madurai.

2.The Tahsildar,
Tahsildar Office West,
Madurai West Division,
Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to issue a legal heir certificate V.Arockia doss who died on 09.06.2021 at Qiryat Malakhi, Israel and consider the petitioner's representation dated on 11.04.2023 within a time frame to be fixed by this Court.

For Petitioner : Ms.A.S.Shangeetha

For Respondents : Mr.N.Muthuvijayan
Special Government Pleader



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ORDER

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The writ petition has been filed by a widow, seeking legal heirship certificate consequent to the death of her husband V.Arockia doss who died on 09.06.2021 at Qiryat Malakhi, Israel. He suffered from Covid and thereafter owing to complications died at Israel. Unfortunately in the death certificate, the letter 'V' which signified his father's name has been expanded as Vallavadoss and since the number of letters could only be specific in number in the name, his actual name was restricted to 'Aroc'. This has given rise to a little confusion and the second respondent / Tahsildar had apparently entertained a doubt about the identity of the person who died and the relationship of the petitioner to the said person.

2. Learned counsel for the petitioner stated that in the passport, it had been very clearly stated that he died with the status as married whereas in the death certificate it is stated that the marital status is not recorded.

3. These are the issues which the petitioner alone can clarify. The petitioner is directed to file a fresh application seeking legal heirship certificate under the provisions of G.O.No.478 dated 29.09.2022 and the second



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respondent is directed to issue notice to the petitioner herein, make necessary enquiries relating to the name as found in the death certificate and the relationship of the petitioner to the said deceased and the same person, the husband of the petitioner had actually died in Israel. All these details may be given by the petitioner herein. The petitioner may also give the communications received from the Indian Embassy and thereafter the second respondent is directed to take a considered view on the entire issue and examine the credentials of the petitioner to seek legal heir certificate and pass necessary orders within a period of six weeks from the date of receipt of a fresh application from the petitioner.

4. This writ petition is disposed of. No costs.

12.06.2023

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

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C.V.KARTHIKEYAN, J.

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To

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