



W.P(MD)No.20105 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:13.04.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.20105 of 2022

P.Marimuthu

... Petitioner

Vs

1. The District Collector,
Dindigul District.
2. The Thasildar,
Aathur Taluk,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, to call for the records pertaining to the impugned order Na/Ka/no. 4672/2022/Aa5, dated 11.8.2022 passed by the second respondent and to quash the same as illegal and consequently direct the second respondent to provide legal heir certificate of petitioner grandmother namely Chinnammal, within a time stipulated by this Court.

For Petitioner

:Mr. M.Viji

For R1, R2

:Mr.D.S.Nedunchezian
Government Advocate



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ORDER

The writ petition has been filed in the nature of Certiorarified Mandamus, relating to an order passed by the second respondent/Tahsildar, Aathur Taluk, Dindigul District, dated 11.08.2022.

2.The entire issues surround the petition filed by the petitioner, seeking legal-heirship certificate, with respect to his grandmother Chinnammal. In the affidavit filed in support of the writ petition, it had been stated that the grandmother of the petitioner died on 07.03.2004. The petitioner had obtained legal-heirship certificate for his father on 21.01.2021. He claims that consequent to that legal-heirship certificate, he should also be recognised as legal heir of his grandmother, since his father had died.

3.The petitioner had made an online application in TN-720220704415 on 04.07.2022. By the impugned order, the request of the petitioner was negatived by the second respondent. The said order is dated 11.08.2022.



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4.However, subsequently on 29.09.2022, the Government has passed guidelines in G.O.Ms.No.478 (Revenue & Disaster Management, Revenue Administration Wing) specifically relating to grant of legal-heirship certificate. Therefore, the impugned order is set aside and the issue is remitted back to the second respondent for fresh consideration.

5.A direction is given to the second respondent/Tahsildar, Aathur Taluk, Dindigul District, to issue notice to the petitioner and anybody else and examine the issue, in accordance with the guidelines given by the Government in the aforementioned G.O.Ms.No.478 of 2022, dated 29.09.2022. The entire exercise of the second respondent shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition stands disposed. No costs.

13.04.2023

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



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To

1. The District Collector,
Dindigul District.
2. The Tahsildar,
Aathur Taluk,Dindigul District.



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C.V.KARTHIKEYAN, J.

PNM

ORDER IN
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