



WP (MD) No.21634 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP (MD) No.21634 of 2023

and

WMP (MD) No.18095 of 2023

S.Swathi

... Petitioner

Vs

1.The Tahsildar,
Thottiyam Taluk,
Trichy District.

2.The Village Administrative Officer,
Arasaloor Village,
Thootiyam Taluk,
Trichy District.

3.Mathavi

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of Certiorari calling for the records pertaining to the impugned order passed by the 1st respondent in his Na.Ka.A2/5746/2022 dated 05.07.2023 and quash the same as illegal and consequently direct the 1st respondent to incorporate the petitioner name as a legal heir of the the petitioner father Suresh in the legal heir certificate No.TN-7202202042726 dated 22.02.2022 issued to the 3rd respondent.



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For petitioner : Mr.T.Lenin Kumar
For Respondent : Mr.M.Sarangan,
Additional Government Pleader

ORDER

The petitioner has filed this writ petition challenging the order of the Tahsildar, Thottiyam, wherein the request of the petitioner to include her name in the legal heir certificate has been rejected.

2.The learned Counsel for the petitioner submits that the petitioner is the daughter of one Suresh and Jeya, who is the 2nd wife of Suresh. The said Suresh is the petitioner's biological father and he passed away on 09.01.2022. However, 3rd respondent/ 1st wife obtained a legal heir certificate for her daughters and sons, excluding this petitioner. Therefore, the petitioner made an application to include her name also in the legal heir certificate. However, it has been rejected.

3.The learned Additional Government Pleader appearing for the respondent submits that the 3rd respondent has



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already filed a suit before the District Munsif Court,
Thottiyam.

4. In view of the above, the petitioner has to work out her remedy before the civil Court by establishing that the deceased person is her biological father and with this liberty, this writ petition is closed. No costs. Consequently connected miscellaneous petition is closed.

05.09.2023

dsk

To

1. The Tahsildar,
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Trichy District.

2. The Village Administrative Officer,
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B.PUGALENDHI, J.

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