



W.P.(MD)No.21689 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.21689 of 2023

Rajathi

... Petitioner

versus

1. The District Collector,
Sivagangai District,
Sivagangai.

2. The Revenue Divisional Officer,
Revenue Divisional Office,
Sivagangai.

3. The Tahsildar,
Sivagangai Taluk,
Sivagangai District.

4. Saraswathi

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the 3rd respondent to set aside the legal heir certificate No.TN-720200519401 and to issue fresh legal heir certificate of the petitioner's deceased husband, namely, Pandi by considering her representation dated 21.06.2023.



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For Petitioner : Mr.S.Muniyandi
For R1 to R3 : Mr.M.Sarangan,
Additional Government Pleader

ORDER

The petitioner is the wife of one Pandi, who died on 05.04.2020. On the application made by the petitioner, the 3rd respondent/the Tahsildar, Sivagangai, has issued a legal heir certificate to the petitioner on 30.05.2020 by adding her name, her two daughters' name and her mother-in-law's name as the legal heirs of the deceased Pandi. Now, she has submitted an application on 21.06.2023 to cancel the legal heir certificate already issued to her on 30.05.2020 on the ground that her husband Pandi was having an affair with one Saraswathi and through her, two children were born to Pandi and therefore, requested to issue a fresh legal heir certificate by adding those children born to her husband through the second wife Saraswathi.

2. Mr.M.Sarangan, learned Additional Government Pleader, who takes notice for the respondents, submits that the competent authority



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to review the legal heir certificate issued by the Tahsildar, Sivagangai, is the second respondent/the Revenue Divisional Officer, Sivagangai.

He further submits that the petitioner has submitted the application only before the first respondent/District Collector, Sivagangai. The first respondent/the District Collector, Sivagangai, has also forwarded the said application to the second respondent/the Revenue Divisional Officer, Sivagangai on 30.06.2023.

3. In view of the said submission, this writ petition is disposed of with a direction to the second respondent/the Revenue Divisional Officer, Sivagangai to dispose of the petitioner's application dated 21.06.2023, after providing an opportunity of hearing to the parties concerned, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

07.09.2023

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



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B.PUGALENDHI, J.

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