



WEB COPY



W.P.No.5919 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.5919 of 2022
and
W.M.P. No. 6019 of 2022

Malliga

... Petitioner

Vs

1. The Thasildar,
Krishnagiri Thasildar Office,
Krishnagiri Post,
Krishnagiri.

2. Sarasu

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records in connection with proceedings in Na. Ka. 1716/2021/A1 dated 18.8.2021 of the first respondent and quash the same and consequently direct the first respondent to issue legal heir certificate to the petitioner.

For Petitioner : No appearance

For Respondents : Mr. S.J.Mohamed Sathik,
Government Advocate (for R1)

O R D E R



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The Writ Petition has been filed challenging the order dated 18.08.2021 passed by the first respondent, thereby, the request made by the petitioner for issuance of legal heirship certificate was rejected.

2. The petitioner married one Kamaleshan, who was working as Field Worker in the Government Hospital, Krishnagiri. While he was in service, he died in a road accident on 19.01.2020. The petitioner is living with her son born through the said Kamaleshan. After his demise, the petitioner had applied for legal heirship certificate before the first respondent for the purpose of transfer of Revenue Records. In fact, the said application has been considered and as such, the petitioner has filed a Writ Petition in W.P.No.6174 of 2021 before this Court and this Court had directed the first respondent to consider the representation submitted by the petitioner within a period of twelve weeks from the date of receipt of a copy of that order.

3. On a perusal of the impugned order, it reveals that on receipt of



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the application from the petitioner for issuance of legal heirship certificate, a detailed enquiry was conducted. During the enquiry, the first respondent found that the deceased Kamaleshan originally married the second respondent and gave birth to two male children. However, the second respondent objected for issuance of legal heirship certificate in favour the petitioner. Therefore, the petitioner was directed to obtain decree from the concerned Civil Court to prove as to who is the legally wedded wife to the said Kamaleshan. Hence, this Court finds no infirmity or illegality in the order passed by the first respondent and this Writ Petition is devoid of merits.

4. Accordingly, this Writ Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed. No costs.

01.04.2024

Index: Yes/No
Neutral Citation: Yes/No
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G.K.ILANTHIRAIYAN, J.



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To

The Thasildar,
Krishnagiri Thasildar Office,
Krishnagiri Post,
Krishnagiri.



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