



W.P.No.13054 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2024

CORAM :
THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

W.P.No.13054 of 2024

G.Mageshwari

... Petitioner

Vs.

1. The District Collector
Chennai District
At Chennai
2. The Revenue Divisional Officer
Thirumangalam
Chennai
3. The Tahsildar
Maduravoyal Taluk
Nolambur, Chennai – 600 037
- 4.Thiru.Mugilan

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing Respondents 1 to 3 to consider the petitioner's representation dated 14.10.2023 and 11.11.2023 and thereby directing respondents 1 to 3 to cancel the Legal Heir Certificate TN7202308041869 dated 20.08.2023 and issue fresh legal heir



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certificate by including the petitioner's name as a wife of late Nedumaran as per the recommendation of the third respondent dated 23.01.2024 and R.I and VAO respectively.

For Petitioner : Mr.B.Gopalakrishnan

For Respondents : Mr.R.Neelakandan
Additional Advocate General
Assisted by
Mr.S.J.Mohamed Sathik
Government Advocate for R1 to R3

ORDER

This writ petition has been filed to consider the petitioner's representations dated 14.10.2023 and 11.11.2023 and to direct respondents 1 to 3 to cancel the Legal Heir Certificate bearing reference TN7202308041869 dated 20.08.2023 and issue fresh legal heir certificate by including the petitioner's name as a wife of late Nedumaran.

2. It is stated in the petition that the petitioner married one M.Nedumaran on 02.03.2015 after the demise of his first wife and due to the interference of the fourth respondent, who is the son of Nedumaran born through first wife, Nedumaran filed a petition for divorce and the petitioner filed a petition for restitution of conjugal rights and the petition filed for



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divorce was dismissed for default and petition for restitution of conjugal rights was decreed. The petitioner further states that E.P.No.114 of 2021 for execution of the decree and during the pendency of the E.P proceedings, the petitioner came to know that said Nedumaran died due to health issues on 15.07.2023. Hence, the petitioner sent a representation dated 06.10.2023 with all necessary documents to the police authorities for family pension. Since no action has been taken, W.P.No.30454 of 2023 was filed before this Court and the same was disposed of on 18.10.2023. The petitioner again sent representations dated 14.10.2023 and 11.11.2023 seeking to cancel the legal heir certificate issued in favour of the fourth respondent in which enquiry has been conducted, but so far no order has been passed. Hence, the present writ petition.

3. Heard Mr.B.Gopalakrishnan, learned counsel for petitioner and Mr.R.Neelakandan, learned Additional Advocate General appearing for the respondents 1 to 3.



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4. The learned Additional Advocate General would submit that representation of the petitioner has been considered and Revenue Divisional Officer vide letter dated 07.05.2024 bearing reference Na.Ka.No.6902/2023/A4 has sent a communication to the Tahsildar to include the petitioner's name in the legal heirship certificate.

Recording the above said submission of the learned Additional Advocate General, this Writ Petition stands disposed of. No costs.

08.05.2024

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
gpa/mrp

To

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A.D.JAGADISH CHANDIRA,J.

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