



W.P.No.16169 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.16169 of 2022

P.A.Natarajan

...Petitioner

-Vs-

The Tahsildar
Chinnasalem Taluk
Kallakurichi District.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, calling for the records relating to the impugned proceedings issued by the respondent in Na.Ka.A4/1116/2022 dated 10.05.2022 and quash the same.

For petitioner : Mr.T.Balachandran

For respondent : Mr.S.Arumugam
Government Advocate



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ORDER

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This writ petition has been filed challenging the proceedings of the respondent dated 10.05.2022 thereby rejected the request made by the petitioner to issue legal heirship certificate for his 2nd son as 2nd class legal heir of deceased 1st son.

2. The petitioner had two sons and first son namely N.Rishabamoorthy was appointed as Village Assistant at Poondi Village Panchayat. While he was in service he died leaving behind his wife, his father namely the petitioner herein and his mother as his legal heirs. In order to obtain appointment on compassionate ground, the petitioner applied for legal heir certificate and he was issued legal heir certificate consisting his daughter-in-law, his wife and himself as legal heirs of the deceased son. However, he sought legal heir certificate for his 2nd son, though, the 2nd class legal heir certificate will come to effect only after demise of the 1st class legal heirs. That apart, the wife of the deceased son is very much alive and the petitioner i.e., the father of the deceased is also alive. Therefore, the



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2nd son cannot be declared as legal heirs of the deceased first son.

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3. Therefore, this court cannot find any infirmity or illegality in the order passed by the respondent in Na.Ka.No.A4/1116/2022 dated 10.05.2022. Hence, this writ petition is liable to be dismissed. Accordingly, this writ petition dismissed. No costs.

08.01.2024

Index : Yes/No
Internet: Yes/No
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G.K.ILANTHIRAIYAN,J.
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To

The Tahsildar
Chinnasalem Taluk
Kallakurichi District.

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