



WEB COPY

W.P.No.15082 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2024

CORAM

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**

W.P.No.15082 of 2024
& WMP.Nos.16392 & 16394 of 2024

Jayanthi

.... Petitioner

Vs

1.The Tahsildar,
Taluk Office,
Villupuram Taluk and District.

2.K.Jayaraman

.... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records from the file of the 1st respondent relating to the issuance of legal heirship certificate in Pa.Mu.(A2)/1300/2023 dated 12.01.2024 and to quash the same.

For Petitioner : Mr.S.Krishnasamy

For Respondents : Mr.R.Neelakandan (R1)
Additional Advocate General
assisted by
Mr.U.Bharanidharan



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sisters Manimegalai and Kalaiselvi.

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4. To be noted that R2 and his two sisters would only constitute Class-II legal heirs and the legal position as per G.O.(Ms.) No.110 dated 13.03.2024 is that, where one spouse passes away without issues, it is the surviving parents and spouse who will constitute his Class-I legal heirs.

5. That apart, the impugned order has been passed without hearing the petitioner. In fact, R1, in the impugned order states that he is treating this case as a special case and passing orders contrary to the normal/regular procedure, as the petitioner is medically indisposed and needs assistance. It is a mystery as to where from he has formed this impression.

6. The petitioner has categorically denied any medical disability and confirms that she is keeping good health. She denies the observations in the impugned order as factually incorrect. There is some merit in her submission as the impugned order is silent as to the basis upon which the conclusions have been drawn.

7. For the aforesaid reasons, impugned proceedings in Pa.Mu.(A2)/1300/2023 dated 12.01.2024 is quashed and the proceedings in Pa.Mu.(A2)/9206/2017 dated 16.10.2017 stand restored.



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Dr.ANITA SUMANTH,J.

8. This writ petition is allowed in the above terms. No costs.

Connected Miscellaneous petitions are closed.

02.07.2024

Index: Yes/No
Speaking order: Yes
Neutral Citation: Yes
mpl

To

1. The Tahsildar,
Taluk Office,
Villupuram Taluk and District.

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