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W.P.No.31476 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2024

CORAM :
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P. No.31476 of 2023
and
W.M.P.No.31102 of 2023

Lakshmi

... Petitioner

Vs.

The Tahsildar,
Kundrathur,
Kancheepuram District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, for issuance of writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order dated 01.10.2023 passed by the respondent in the Legal Heir Certificate Application No.TN-720230916607 dated 16.09.2023 quash the same and consequently direct the respondent to issue legal heir certificate to the petitioner.

For Petitioner : Mr.R.S.Selvam

For Respondent : Mr.U.Baranidharan
Additional Government Pleader



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ORDER

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The order of rejection, rejecting the application submitted by the writ petitioner for issuance of 'Legal Heirship Certificate' is under challenge in the present writ petition.

2. The petitioner submitted an application seeking 'Legal Heirship Certificate' of her deceased husband late Mr.Kannan. The application was rejected by the Tahsildar on the ground that the petitioner is the 2nd wife of the deceased and the details of his first wife has not been stated in the application. During an enquiry by the Village Administrative Officer and the Revenue Inspector, Kundrathur, it is found that late Mr.Kannan already got married to one Mrs.Kothailakshmi and she died on 09.03.2000 in a fire accident. Smt.K.Ashwini and K. Karthick are the daughter and son born to late Kothailakshmi and deceased Mr.Kannan. However, the petitioner has stated the details about son and daughter namely, Smt.K.Ashwini and K.Karthick. Since the first wife of the deceased died in a fire accident in the year 2000, the petitioner has not stated the details regarding first wife.



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3. Mr.R.S.Selvam, learned Counsel for the petitioner would submit that there is no column in the application. Therefore, they have not submitted.

4. However, the fact remains that the Authorities conducted an enquiry and found that the first wife Mrs.Kothailakshmi died on 09.03.2000. Therefore, there is no impediment for issuing 'Legal Heirship Certificate' to the petitioner.

5. In view of the facts and circumstances, the order impugned dated 01.10.2023 is quashed and the respondent is directed to conduct an enquiry and verify the details and accordingly issue 'Legal Heirship Certificate' by following due process. The said exercise is directed to be completed within a period of six (6) weeks from the date of receipt of a copy of this order.



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6. Accordingly, this Writ Petition stands **allowed**. No costs.

Consequently, connected miscellaneous petition is closed.

17.04.2024
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Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
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To

1. The District Collector,
Chengalpet District,
Chengalpet.
2. The Revenue Divisional Officer,
Office of Revenue Division,
Chengalpet District,
Chengalpet.
3. The Tasildar,
Office of Tasildar,
Singaperumal Koil Street,
Chengalpet District,
Chengalpet.



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S.M.SUBRAMANIAM,J.

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