



W.P.(MD).No.149 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD)No.149 of 2024

Parvatham

... Petitioner

vs.

1.The Revenue Divisional Officer,
Usilampattai,
Madurai.

2.The Tahsildar,
Peraiyur,
Madurai District.

3.Parvathy

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to take necessary action to conclude the enquiry with regard to the proceedings in Oo.Mu.No.3783/22/A3, dated 24.08.2022, pending on their file, within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.S.Ayyanar Prem Kumar

For R1 & R2 : Mrs.S.Jeyapriya

Government Advocate



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ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to take necessary action to conclude the enquiry with regard to the proceedings in Oo.Mu.No. 3783/22/A3, dated 24.08.2022.

2. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, her husband passed away on 20.01.2021. In such circumstances, the third respondent, who is not a legally wedded wife, obtained legal heir certificate from the second respondent on 24.07.2021. Hence, the petitioner has made a representation to the respondents 1 and 2 in the month of August 2022. The said representation was proceeded by the first respondent and finally he forwarded a communication in Oo.Mu.No.3783/22/A3, dated 24.08.2022 to the second respondent, to take action with regard to this



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issue, as per the guidelines of the Government. But the second respondent has not taken any action to conclude the enquiry. Hence, the present writ petition has been filed.

4. The learned Government Advocate appearing for the respondents 1 and 2 would submit that objection was received and it was found that Selvaraj, S/o. Perumal Samy had two wives and the first wife is Parvatham and Perumal Raj and Vimal Rajan are the sons and they are the original legal heirs. The second wife is one Parvathy and the respondents 1 and 2 have also enquired with the local people in the village and then they are ready and willing to cancel the said legal heir certificate issued to the second wife Parvathy.

5. Considering the above said facts, this Court directs the respondents 1 and 2 to conclude the enquiry with regard to the proceedings in Oo.Mu.No.3783/22/A3, dated 24.08.2022 and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.



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6. With the above direction, this Writ Petition is disposed of. No costs.

05.01.2024

Index: Yes/No
Internet: Yes/No
NCC: Yes/No

akv

To

1. The Revenue Divisional Officer,
Usilampattai,
Madurai.

2. The Tahsildar,
Peraiyur,
Madurai District.



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V.BHAVANI SUBBAROYAN,J.

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