



W.P.(MD).No.370 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2024

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD).No.370 of 2024

and

W.M.P.(MD).No.367 of 2024

S.Rahima Bi

.. Petitioner

vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Tahsildhar,
Madurai West Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned rejection order issued by the second respondent in Application No.TN-7202312071178, dated 07.12.2023, quash the same as illegal, arbitrary and violation of principles of natural justice and consequently directing the second respondent to issue legal heir certificate for the legal heirs of petitioner's deceased husband.



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For Petitioner : Mr.J.Imran Khan
For Respondents : Mr.SRA.Ramachandran
Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the impugned rejection order issued by the second respondent in Application No.TN-7202312071178, dated 07.12.2023 and to quash the same and consequently direct the second respondent to issue legal heir certificate for the legal heirs of petitioner's deceased husband.

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, she is the second wife of Late M.Sultan Syed Ibrahim. She has made an application before the second respondent on 07.12.2023, for issuance of legal heir certificate with self declaration form. But the second respondent has rejected the petitioner's application. Challenging the same, the present writ petition has been filed.



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4. The learned Additional Government Pleader appearing for the respondents would submit that the authorities have mistakenly issued the impugned order only based on the documents available and when the petitioner is stating that she is the second wife of Late M.Sultan Syed Ibrahim, they will consider the said statement by holding an enquiry and appropriate orders will be passed in the petitioner's Application No.TN-7202312071178, dated 07.12.2023.

5. Considering the above said submissions, this Court directs the second respondent to consider the petitioner's Application No.TN-7202312071178, dated 07.12.2023 and pass appropriate orders, on merits and in accordance with law, after holding an enquiry, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

09.01.2024

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To

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Tahsildhar,
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Madurai District



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