



WP(MD). No.677 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Special Original Jurisdiction

Thursday, the Twenty Eighth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mrs.Justice V.BHAVANI SUBBAROYAN

WP(MD). No.677 of 2024

1. I.Nirmala
2.Dorothy Maria Suji
3.Catherine Maria Suji
... Petitioner
Vs

1 The District Collector
O/o.The District Collector Trichy District
Tamil Nadu

2 The Revenue Divisional Officer
O/o.The Revenue Divisional Officer
Trichy Division Trichy

3 The Tahsildar
O/o.The Tahsildar Trichy East Taluk
Trichy ... Respondent

Prayer :-

Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus calling for the entire records in connection with the impugned legal heirship certificate no. TN 7202209091617 issued by the 3rd respondent dated 20.09.2022 and quash the same and direct the 3rd respondent to issue a fresh legal heirship certificate of the Petitioner, listing the proper heirs according to Section 33 of the Indian Succession Act 1925 within a time frame fixed by this Honble Court and pass such further or other orders as this

<https://www.mhc.tn.gov.in/judis>



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Honble Court may deem fit and proper in the circumstances of this case and thus render justice.

ORDER:- This Writ Petition earlier disposed on 11.01.2024 and subsequently the case coming on for hearing under the caption 'For being Mentioned' caption on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Thiru.Niranjana S.Kumar, Advocate for the Petitioner and of Thiru. K.Christy Thebora, Additional Government Pleader for the respondents, this Court made the following order:

This petition is listed today under the caption 'For Being Mentioned' at the instance of the learned counsel for the petitioner.

2. In paragraph 2 of the order, dated 11.01.2024 in last line, the date of death of the Sheeba was wrongly mentioned as '04.12.2023' instead of '04.10.2023'. Further, in paragraphs 3 & 4 of the order, the Act was wrongly mentioned as 'Hindu Succession Act, 1925' instead of 'Indian Succession, 1925'.

3. He further stated that after the order was passed by this Court on 11.01.2024, the Revenue Divisional Officer, Tiruchirappalli, dated 19.02.2024 has passed an order stating that the legal heir certificate was issued on 20.09.2022 and one year time was lapsed and therefore, the District Collector is a competent authority to issue a fresh legal heir certificate.



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4. In view of the above, first respondent/District Collector, Tiruchirappalli is directed to issue legal heirship certificate mentioning only the name of the widow and the children of the deceased Jaishankar, as the petitioners succeed to the estate of the deceased Jaishankar, within a period of four weeks from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

28/03/2024

Sub Assistant Registrar
(CS-I / II / III / IV)

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TO

1. The District Collector
O/o.The District Collector Trichy District
Tamil Nadu
2. The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer
Trichy Division Trichy
3. The Tahsildar
O/o.The Tahsildar Trichy East Taluk
Trichy



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4. The Additional Govt. Pleader,
Madurai Bench of Madras High Court, Madurai

Copy to:

The Section Officer, Writ Section,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.NIRANJAN S.KUMAR, Advocate (SR-17026[F] dated 28/03/2024)

ORDER DATED : 28/03/2024

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ORDER

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Giving direction and etc.
as stated within.

RD(28/03/2024) 4P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.