



W.P(MD)No.1007 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.02.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.1007 of 2024

P.Thendral

... Petitioner

Vs.

1.The District Collector,
Trichirappalli,
Trichirappalli District.

2.The Tahsildar,
Manapparai Taluk,
Trichirappalli District.

3.Govindhasamy

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the legal heirship certificate issued by the second respondent bearing No. TN-7202308291689 dated 10.09.2023 and quash the same and consequently directing the second respondent to issue legal heirship certificate of deceased Nanthakumar by including the name of the petitioner, her minor daughter Riyanka and petitioner's mother-in-law Vijayalakshmi alone.



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For Petitioner : Mr.K.S.Kathiravan

For Respondents : Mr.A.Kannan
Additional Government Pleader
for R.1 & R.2

Mr.R.Murugappan for R.3

ORDER

Heard both sides.

2.The petitioner is the wife of one Nanthakumar. The said Nanthakumar passed away on 04.08.2023. The third respondent is none other than the father of the said Nanthakumar. The grievance of the petitioner is that the third respondent had managed to get his name incorporated in the legal heir certificate.

3.The learned counsel appearing for the petitioner would point out that as per Hindu Succession Act, 1956, the father of the deceased can only be a Class II legal heir and not Class I legal heir. The impugned certificate is set aside.



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4.The second respondent is directed to issue revised certificate in which the third respondent will be referred to as the father of the deceased and as Class - II legal heir.

5.This writ petition is allowed on these terms. There shall be no order as to costs.

21.02.2024

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

To

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Trichirappalli,
Trichirappalli District.

2.The Tahsildar,
Manapparai Taluk,
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G.R.SWAMINATHAN, J.

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