



W.P(MD)No.6558 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.6558 of 2024

V.Sukumaran Nair

... Petitioner

Vs.

The Tahsildar,
Kiliyoor Taluk,
Kanyakumari District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to issue a legal heir certificate to the petitioner on the basis of petitioner's Application No. 72031025983 dated 25.10.2023.

For Petitioner : Mr.V.M.Balamohan Thambi

For Respondent : Mr.S.Kameshwaran
Government Advocate



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ORDER

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Heard both sides.

2.One Thiru.Sankaran Nair passed away on 01.11.2022. The petitioner claims to be his sibling. He approached the respondent for issuance of legal heir certificate. Since it was not considered, the present writ petition came to be filed.

3.When the matter was taken up for hearing, the learned Government Advocate pointed out that the petitioner's request was already negated on 25.10.2023. I wanted to know the reason for the rejection. It is stated that relatives from the wife's side of the deceased have raised objections.

4.I am of the view that merely because objection was raised, that cannot be a ground for rejecting the petitioner's application.

5.The respondent is directed to conduct fresh enquiry on the petitioner's application. If the respondent is satisfied that the petitioner is



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the sibling of the deceased, legal heir certificate shall be issued indicating that the petitioner is the Class 2 legal heir. If there are other Class 2 legal heirs, their names shall also be included in the legal heir certificate. The entire exercise shall be completed within a period of four months from the date of receipt of a copy of this order.

6.This writ petition is disposed of accordingly. There shall be no order as to costs.

19.03.2024

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

To

The Tahsildar,
Kiliyoor Taluk,
Kanyakumari District.



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G.R.SWAMINATHAN, J.

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