



W.P(MD)No.7406 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.7406 of 2024

Ponnammal

... Petitioner

Vs.

1.The District Collector,
Virudhunagar,
Virudhunagar District.

2.The Tahsildar,
Aruppukottai Taluk,
Virudhunagar District.

3.The Revenue Inspector,
Periya Kattankudi Village,
Aruppukkottai Taluk,
Virudhungar District.

4.The Village Administrative Officer,
Periya Kattankudi Village,
Aruppukkottai Taluk,
Virudhungar District.

... Respondents

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 impugned memorandum issued by the 2nd respondent in his proceedings No.Na.Ka.A4/267/2024 dated 02.02.2024 and quash the same as illegal and arbitrary and consequently directing the respondents to issue legal heirship



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certificate subsequent to the sudden death of the petitioner's daughter in law namely, N.Sankareshwari aged about 53 years based on the representation of the petitioner dated 28.11.2023 made to the 2nd respondent.

For Petitioner : Mr.S.Mohamed Kadhar

For Respondents : Mr.J.Vilavankothi,
Additional Government Pleader

ORDER

The petitioner's son is no more. Her daughter in law and grandson have also passed away. The petitioner seeks issuance of legal heir certificate. The Tahsildar, Aruppukkottai had taken the stand that since the petitioner is not class – I legal heir and therefore, the legal heir certificate cannot be granted. Challenging the same, this writ petition has been filed.

2.I am satisfied that the matter has to be remanded to second respondent. It is well settled that Tahsildar can not only grant class I legal heir certificate but also grant class II legal heir certificate. In this view of the matter, the matter is remanded to the file of the second respondent and the second respondent is directed to hold an enquiry and if satisfied that the petitioner is the mother in law of the deceased Sankareshwari and grandmother of Anantharaj, legal heir certificate shall be granted.



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3.This writ petition is disposed of. No costs.

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25.03.2024

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

SKM

To:

- 1.The District Collector,
Virudhunagar,
Virudhunagar District.
- 2.The Tahsildar,
Aruppukottai Taluk,
Virudhunagar District.
- 3.The Revenue Inspector,
Periya Kattankudi Village,
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G.R.SWAMINATHAN, J.

SKM

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