



W.P(MD)No.14952 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.14952 of 2024

and

W.M.P.(MD)No.13113 of 2024

R.Niranjan

... Petitioner

Vs.

The Tahsildar,
Office of Tahsildar,
Tenkasi Taluk,
Tenkasi.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records of the respondents Rejection Communication in Application No.TN-7202406181897 dated Nil and quash the same as devoid of merits and consequently directing the respondent to issue Legal Heir Certificate for the deceased Dr.M.D.Sampath died on 21.05.2021, within the period as stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen

For Respondent : Mr.G.V.Vairam Santhosh
Additional Government Pleader



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ORDER

Heard the learned counsel on either side.

2. The petitioner states that his paternal uncle M.D.Sampath died at Tenkasi on 21.05.2021. His wife N.Pankaja also passed away at Tenkasi. The petitioner wants the legal heir certificate. The petitioner approached the respondent. The respondent declined to honour the petitioner's request primarily on the ground that the petitioner failed to produce the relevant documents. It was also noted that M.D.Sampath's aadhar card indicated that he was working in Karnataka. Challenging the stand of the respondent, the present writ petition came to be filed.

3. I will not fault the respondent for having passed the impugned order. Even before this Court, the documents sought for by the petitioner were produced only in installments. I am however satisfied that both Sampath as well as his wife passed away only at Tenkasi. They appear to have spent their last days at Tenkasi. It is also seen that their permanent residence was also Tenkasi. Therefore, the respondent will definitely have jurisdiction to consider the petitioner's request. The petitioner is permitted to submit a fresh application before the respondent. The petitioner has to make available all the relevant



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documents. The petitioner must produce the evidence necessary to satisfy the Tahsildar during the course of enquiry. The respondent shall consider the petitioner's application for issuance of legal heir certificate for M.D.Sampath and his wife. The entire exercise shall be completed by the respondent within a period of four months from the date of receipt of a copy of this order.

4. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

10.07.2024

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

The Tahsildar,
Office of Tahsildar,
Tenkasi Taluk,
Tenkasi.



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G.R.SWAMINATHAN, J.

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