



W.P(MD)No.15158 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.15158 of 2024

Jayanthi

... Petitioner

Vs.

The Tahsildar,
East Taluk Office,
Trichy,
Trichy District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent herein to issue a legal heir certificate to petitioner, with respect of petitioner's husband namely Late. Arumugam in the light of her representations / applications dated 09.04.2024 and 18.06.2024, within a stipulated period as may be fixed by this court.

For Petitioner : Mr.R.Sakthivel

For Respondent : Mr.D.Sasikumar
Additional Government Pleader

ORDER

Heard both sides.



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2. One Arumugam got married to one Krishnaveni. Thereafter, the petitioner was inducted as second wife. Through both, Arumugam had children. He passed away on 02.09.2020. The petitioner wants the legal heir certificate. The respondent has declined to entertain the petitioner's request. Hence, in this background, the present writ petition came to be filed.

3. The petitioner fairly concedes that during the subsistence of the first marriage, the petitioner became the second wife of Arumugam. Therefore, the petitioner cannot be conferred the status of legally wedded wife or even heir. But then, the children born through the petitioner have to be included in the list of heirs. The petitioner is permitted to submit a fresh online application. The respondent herein will conduct enquiry and issue legal heir certificate. The legal heir certificate will include the name of the first wife of Arumugam and the children born through Krishnaveni and the petitioner herein. The petitioner's name will not be shown in the list of legal heirs. This exercise shall be completed by the respondent within a period of ten weeks from the date of receipt of a copy of this order.



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4. The Writ Petition is allowed accordingly. No costs.

09.07.2024

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

The Tahsildar,
East Taluk Office,
Trichy,
Trichy District.



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G.R.SWAMINATHAN, J.

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