



W.P(MD)No.17529 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.06.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.17529 of 2023

Chandra

... Petitioner

Vs.

1.The District Collector,
Dindigul District.

2.The Revenue Divisional Officer,
Tahsildar Nagar, Thamaraiikulam,
Periyakulam, Theni District.

3.The Tahsildar,
Theni Taluk Office,
Vivek Nagar,
Sriram Nagar,
Theni District.

... 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 relating to the impugned order passed by the 3rd respondent dated 20.03.2023 and quash the same as illegal and consequently direct the 3rd respondent to entertain the petitioner's application and give her legal heir certificate of Late. Palanisamy (who is the petitioner maternal grant father) after giving opportunity and made a fair enquiry.



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For Petitioner : Mr.A.Muthukumar

For Respondents : Mr.N.GA.Nataraj,
Government Advocate.

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ORDER

Heard both sides.

2.Thiru.N.Palanisamy passed away on 07.06.1997. The petitioner would claim that he died leaving behind as many as five legal heirs. The petitioner would allege that the male members partitioned the property amongst themselves leaving out the female legal heirs. In this background, the present application was filed. Citing the objection received from one Nachammal, the petitioner's application was rejected. The learned counsel for the petitioner would point out that Nachammal had given her daughter in favour Chinnaraj who is one of the male legal heirs. Therefore, the objection of Nachammal is not valid.

3.Be that at it may, the petitioner is given liberty to file a fresh application. The Tahsildar, Theni will hold a fresh enquiry and issue legal heir certificate. If he finds that the female legal heirs of deceased Palanisamy were left out, he shall issue a revised a legal heir certificate. I make it clear that I



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have not gone into the merits of the matter. I am only granting liberty to the writ petitioner to move afresh.

4.This writ petition is disposed of accordingly. No costs.

10.06.2024

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

- 1.The District Collector,
Dindigul District.
- 2.The Revenue Divisional Officer,
Tahsildar Nagar, Thamaraikulam,
Periyakulam, Theni District.
- 3.The Tahsildar,
Theni Taluk Office,
Vivek Nagar,
Sriram Nagar,
Theni District.



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G.R.SWAMINATHAN, J.

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