



W.P.(MD)No.1030 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.11.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.1030 of 2018
and
W.M.P.(MD)No.1071 of 2018

M.D.T.Maheshwari @ V.Valli Maheshwari

... Petitioner

/Vs./

The Tahsildhar
O/o. Tirunelveli Taluk,
Tirunelveli District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the order passed by the respondent in memorandum A9/6471/2016 dated 24.11.2016 is illegal and quash the same and consequently direct the respondent to issue legal heir certificate in favour of the petitioner and other legal heirs after making proper enquiry.

For Petitioner : Mr.M.Krishna Sreethar

For Respondent : Mr.D.Gandhi Raj

Special Government Pleader



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ORDER

This writ petition has been filed to quash the order passed by the respondent in memorandum A9/6471/2016 dated 24.11.2016 and consequently direct the respondent to issue legal heir certificate in favour of the petitioner and other legal heirs after making proper enquiry.

2. The petitioner is the daughter of one Thirumalayappan Mudhaliyar. After his demise, she applied for legal heir certificate before the respondent. On enquiry, the respondent found that his father got married another woman and gave birth of two children. Therefore, there are several objections for issuance of legal heir certificate.

3. When there is an objection, the petitioner ought to have approached the civil Court for Succession Certificate in accordance with law. Therefore, this Court finds no infirmity or illegality in the order passed by the respondent and this petition is devoid of merit.



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4. Therefore, this writ petition is dismissed. The petitioner is at liberty to approach the civil Court for appropriate relief. No costs. Consequently, connected Miscellaneous Petition is closed.

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

TO:-

The Tahsildhar
O/o. Tirunelveli Taluk,
Tirunelveli District.



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G.K.ILANTHIRAIYAN, J.

LS

Order made in
W.P.(MD)No.1030 of 2018

Dated:
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