



WP(MD). No.21318 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 09/09/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

WP(MD). No.21318 of 2024
and WMP(MD) No.18051 of 2024

P. Selvam

... Petitioner

Vs

1. The District Collector,
District Collectorate Office,
Madurai District..

2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Thirumangalam,
Madurai District..

3. The Tahsildhar,
Taluk Office,
Thirumangalam,
Madurai 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 pertaining to the order passed by the 3rd respondent in the application preferred by the petitioner vide application No.TN-720240806153 and quash the same as illegal and consequently to



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direct the 3rd respondent to issue legal heir certificate of petitioner's deceased father namely Late.Pandi S/o.Mayandithevar in the name of his mother namely Panjammal himself as Selvam and his younger brother namely Manikandan within the time stipulated by this Court.

For Petitioner : Mr.V.Subash Chandra Bose,
For Respondent : A.Kannan
Additional Government Pleader

ORDER

By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

2. The writ petition has been filed challenging the impugned order of the 3rd respondent and consequently to direct the 3rd respondent to issue legal heir certificate of petitioner's deceased father namely Late.Pandi S/o.Mayandithevar. In and by the said impugned order, the application for legal heirship certificate has been rejected by the 3rd respondent.

3. According to the petitioner, his mother has married one Muniyandi in the year 1980. However, the said Muniyandi died in the



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year 1984. Thereafter the petitioner's mother married one Pandi, who is none other than the brother of deceased Muniyandi and father of the petitioner herein. The petitioner's father also died on 20.06.2019. Hence, the petitioner has applied for legal heirship certificate for himself, his brother and his mother. The said certificate was rejected through the impugned order, however, no reason whatsoever was assigned by the 3rd respondent.

4. I have considered the rival submissions and perused the materials available on record.

5. It is seen that the impugned order is bereft of any reason. When the impugned order affecting the rights of the petitioner is passed without assigning any reason, the same cannot be sustained. Therefore, the 2nd respondent is directed to pass a detailed order, after giving opportunity to the petitioner in this regard. Such exercise shall be passed within a period of one month from the date of receipt of a copy of this order.



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6. The writ petition is disposed of with the above direction. No costs.

Consequently connected Miscellaneous Petition is closed.

09.09.2024

NCC : Yes/No

Index : Yes/No

RR

TO

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3. The Tahsildhar,
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N.SATHISH KUMAR,J

RR

**ORDER
IN
WP(MD) No.21318 of 2024**

Date : 09/09/2024