



W.P.(MD) No.24273 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.24273 of 2016

and

W.M.P.(MD) No.17535 of 2016

P.Thavamani

.. Petitioner

Vs.

1.The Tahsildar,
Peraiyur Taluk,
Madurai District.

2.Chinnathai @ Velammal

3.P.Chellapandi

.. Respondents

*[R3-impleaded vide order dated 06.11.2024 in W.M.P.
(MD) No.18703 of 2024 in W.P.(MD) No.24273 of 2016]*

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the respondent in O.Mu.No.1242/2014/C5, dated 22.02.2014 and quash the same and consequently direct the respondent to issue the legal heirship certificate in favour of the petitioner within time frame to be fixed by this Court.



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For Petitioner : Mr.R.Satish
For R1 : Mr.R.Suresh Kumar
Additional Government Pleader
For R2 : Mr.S.Ramesh Babu
For R3 : Mr.S.Ramsundarvijayraj

ORDER

It is brought to the notice of this Court that the impleading respondent had approached the District Munsif Court, Thirumangalam in O.P.No.18 of 2001 and by judgment and decree dated 23.02.2001, he had also been benefited a decree declaring him as a legal heir of the deceased Peraya Naickar and the petitioner also seeks the legal heirship certificate.

2. Since under the impugned order the first respondent had only held that he would not be able to decide the grant of legal heirship certificate, in view that the deceased had two wives, the order impugned in the present case cannot be said to be a bad order. However, taking judicial notice of the fact that the Government, in pursuance to the



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direction issued by the Full Bench of this Court, has issued G.O.(Ms) No. 478, Revenue and Disaster Management, Revenue Administration Wing, RA-3(2) Section, dated 29.09.2022, as amended by subsequent G.O.(Ms) No.110, Revenue and Disaster Management, Revenue Administration Wing, RA-3(2) Section, dated 13.03.2023 in which detailed procedure has been envisaged for grant of legal heirship certificate by the issuing authority. The petitioner is granted liberty to move the said authority for redressing his grievance.

3. With the above liberty, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

06.11.2024

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

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K.KUMARESH BABU, J.

abr

To

The Tahsildar,
Peraiyur Taluk,
Madurai District.

W.P.(MD) No.24273 of 2016

Dated: 06.11.2024