



W.P(MD)No.6031 of 2016

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.11.2024**

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P(MD)No.6031 of 2016

Ganapathiammal

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Tahsildar,
Sankarankovil Taluk,
Sankarankovil,
Tirunelveli District.

3.The Revenue Inspector,
Kurukkalpatti,
Sankarankovil Taluk,
Tirunelveli District.

4.The Village Administrative Officer,
Keelaneelithanallur Village,
Sankarankovil Taluk,
Tirunelveli 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



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call for the records of the impugned order passed by the second respondent in his proceedings vide Moo.Mu.(Aaa1)/11780/15, dated 22.07.2015 and quash the same as illegal and consequently directing the second respondent to issue legal heir certificate to the petitioner comprising the names of (1) Ganapathiyammal, aged 58 years, W/o.Palsamy, (2) Innasiammal, aged 38 years, D/o.Palsamy, (3) Matha, aged 35 years, D/o.Palsamy, (4) Subash Chandrabose, aged 30 years, S/o.Palsamy as only legal heirs of the petitioner's deceased husband Palsamy on the basis of the petitioner's application, dated 05.03.2015 and pass such further or other orders as this Court.

For Petitioner : Mr.T.Indrachithu

For Respondents : Mr.R.Suresh Kumar
Additional Government Pleader

ORDER

The present writ petition has been filed challenging the refusal to grant legal heirship certificate by the second respondent.

2. The reason that has been given by the second respondent is that the deceased Palsamy had two wives and therefore, he had directed the petitioner to approach the civil Court for grant of the decree. However,



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the learned Counsel appearing for the petitioner would submit that the petitioner is the legally wedded wife of Palsamy and the alleged second wife also during the pendency of the present writ petition had died issueless and in such circumstances, he would contend that there will be no impediment for the second respondent in granting the legal heir certificate.

3. In such view of the matter, the petitioner is directed to approach the second respondent for grant of legal heir certificate and if any such application is made, the second respondent shall consider the same in terms of G.O(Ms)No.478 Revenue and Disaster Management, Revenue Administration Wing RA3(2) Section, dated 29.09.2022 as amended by G.O(Ms)No.110, Revenue and Disaster Management, Revenue Administration Wing RA3(2) Section, dated 13.03.2024. When such an application is made by the petitioner, the second respondent shall consider the same, within a period of twelve weeks from the date of receipt of a copy of this order.



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4. With the above direction, the writ petition stands disposed of.

There shall be no order as to costs.

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

To

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K.KUMARESH BABU, J.

BTR

Order made in
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