



W.P.(MD)No.26752 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 11.11.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.26752 of 2024
and
W.M.P.(MD)No.22681 of 2024

Chelleeswari

... Petitioner

Vs.

The Tahsildar,
Madurai South,
Madurai.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the impugned order of rejection of the respondent dated 21.09.2024, on the legal heir application of the petitioner bearing Application No.TN-720240911126, dated 11.09.2024, submitted through E-Seva Online and quash the same as illegal and arbitrary and consequently, direct the respondent to issue legal heir certificate of the petitioner.

For Petitioner	: Mr.V.Vishnu
For Respondent	: Mr.T.Amjad Khan Government Advocate

ORDER

Mr.T.Amjad Khan, learned Government Advocate takes notice for the respondent. By consent of both parties, this Writ Petition is taken up



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for final disposal at the stage of admission itself.

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2.The prayer in the Writ Petition reads as follows:-

“To issue a Writ of Certiorarified Mandamus, calling for the records of the impugned order of rejection of the respondent dated 21.09.2024, on the legal heir application of the petitioner bearing Application No.TN-720240911126, dated 11.09.2024, submitted through E-Seva Online and quash the same as illegal and arbitrary and consequently, direct the respondent to issue legal heir certificate of the petitioner.”

3.Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the respondent and carefully perused the entire materials available on record.

4.The petitioner's father died on 06.02.1993. Following which, her mother also died on 29.04.2005. They were survived by the petitioner, one brother and two sisters. The petitioner has made an application for legal heir certificate through e-seva portal vide Application No.TN-720240911126 on 11.09.2024. The Village Administrative Officer, Sivaraman contacted the petitioner in person through phone and required her to furnish the copies of document, which were uploaded in the online application. In that regard, the petitioner duly submitted the relevant documents. However, the impugned order of rejection of the



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petitioner's application dated 21.09.2024, came to be passed by the respondent on flimsy grounds that the petitioner has already received income certificate and so, the application is rejected. In an online application made by the petitioner seeking legal heir certificate, the respondent has inadvertently rejected without application of mind that already the petitioner has been issued with income certificate.

5.In view of the same, the impugned order is quashed and the matter is remand back to the respondent with a positive direction to issue legal heir certificate to the petitioner within a period of two weeks from the date of receipt of copy of this order.

6.With the above direction, the Writ Petition is allowed. There shall be no order as to costs.

11.11.2024

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

To

The Tahsildar,
Madurai South,
Madurai.



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L.VICTORIA GOWRI, J.

Mrn

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