



W.P.(MD)No.27258 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **15.11.2024**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.27258 of 2024

and

W.M.P.(MD)No.23068 of 2024

Leema

... Petitioner

Vs.

The Tashildar,
Taluk Office,
Thiruvengadam Taluk,
Tenkasi District.

... 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 on-line rejection order dated 13.09.2024 passed by respondent vide in Application No. TN-7202409131495 and quash the same and consequently direct the respondent to issue the Legal Heir Certificate of Late. Poolal alias Poolammal, who is the grand mother of the petitioner.

For Petitioner : Mr.V.Muthuvelan

For Respondent : Mr.T.Amjad Khan

Government Advocate



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ORDER

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

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

“Seeking to call for the records pertaining to the on-line rejection order dated 13.09.2024 passed by respondent vide in Application No. TN-7202409131495 and quash the same and consequently direct the respondent to issue the Legal Heir Certificate of Late. Poolal alias Poolammal, who is the grand mother of the petitioner.”

3. Heard the learned counsel on both sides and carefully perused the entire materials available on record.

4. The petitioner's grandmother namely, Poolal alias Poolammal died on 08.09.1975 and thereafter, her husband namely, Rayappa died on 05.06.1976, leaving behind their only daughter, namely, Innasiyammal, who also passed away on 30.11.1998, who is the petitioner's mother. The petitioner's father also predeceased her mother. Hence, the petitioner is the sole surviving legal heir of



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the said Poolal alias Poolammal. She made an online application to the respondent for issuance of the legal heir certificate of her grandmother, namely, Poolal alias Poolammal. However, the same was rejected by the respondent on 13.09.2024 stating that the petitioner is a Class – II legal heir of the deceased and therefore, she should approach the jurisdictional Court for getting the legal heir certificate of her grandmother, namely, Poolal alias Poolammal. Challenging the same, this writ petition has been filed.

5. The Government has issued Government Order dated 29.09.2022 in G.O.Ms.No.478, Revenue & Disaster Management, Revenue Administration Wing, RA-3(2) Section, in which, based on the directives of the judgment of this Court dated 12.08.2022 passed in WP.No.25247 of 2021 etc., batch, the Government has permitted the issuance of legal heir certificate for Class – II legal heir by the Tahsildhar himself.

6. In view of the same, the online rejection order dated 13.09.2024 impugned in this writ petition is hereby quashed and the matter is remanded back to the respondent for fresh consideration on the basis of the Government Order in G.O.Ms.No.478, Revenue & Disaster Management, Revenue Administration Wing, RA-3(2) Section dated 29.09.2022, and pass appropriate



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order in accordance with law, within a period of six weeks from the date of receipt of copy of this order.

7. With the above direction, the Writ Petition stands allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

15.11.2024

NCC : Yes / No
Index : Yes / No
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TO:-

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The Tashildar,
Taluk Office,
Thiruvengadam Taluk,
Tenkasi District.



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L.VICTORIA GOWRI, J.

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Order made in
W.P.(MD)No.27258 of 2024

Dated
15.11.2024