



W.P.(MD).No.2111 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.2111 of 2025
and
W.M.P.(MD)No.1489 of 2025

Lakshmi

... Petitioner

Vs.

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Tahsildar,
Thirumangalam Taluk,
Madurai District.
- 3.The Revenue Inspector,
Thirumangalam,
Madurai District.
- 4.The Village Administrative Officer,
Madippanur Village,
Thirumangalam Taluk,
Madurai District.
- 5.The Tahsildar,
Uthamapalayam Taluk,
Theni District.

... Respondents

(R-5 is suo-motu impleaded vide Court order dated 27.01.2025 made in W.P.(MD)No.2111 of 2025)



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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 relating to the impugned order passed by the 2nd respondent in the petitioner's online application No.TN7202108091665 dated 09.08.2021 which is liable to be quashed and set aside and subsequently may be pleased to remit the petitioner's application to the file of the 2nd respondent and to conduct enquiry afresh and consequently to issue Class I legal heir certificate based on the application submitted by the petitioner herein within a time stipulated by this Court.

For Petitioner : M/s.Vinotha,
For B.Anandan

For Respondents : Mr.T.Amjad Khan,
Government Advocate

ORDER

By consent of both the parties, this writ petition is taken up for final hearing at the admission stage itself.

2.This writ petition is filed seeking to call for the records relating to the impugned order passed by the 2nd respondent in the petitioner's online application No.TN7202108091665 dated 09.08.2021 which is liable to be quashed and set aside and subsequently may be pleased to remit the petitioner's application to the file of the 2nd respondent and to conduct



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enquiry afresh and consequently to issue a Class I legal heir certificate based on the application submitted by the petitioner.

3.Heard the learned counsels on either sides and carefully perused the materials available on record.

4.The Thasildar, Uthamapalayam Taluk, Theni District, is suo-motu impleaded as the 5th respondent. Registry is directed to carry out the necessary amendments in the cause title. Mr.T.Amjad Khan, learned Government Advocate takes notice for the 5th respondent.

5.The petitioner is the widow of one Mr.Siva, who passed away in an accident on 24.05.2021. The petitioner and her husband were separated before his death and the petitioner was living in Thirumangalam, Madurai district, and her deceased husband was living at Uthamapalayam, Theni district. After his death, the said deceased Thiru.Siva, S/o.Mooka Thevar, was survived by the petitioner and two sons, namely, Raj Kumar and Poun Raj. After his death, the petitioner's son, namely, Poun Raj made an application before the 5th respondent seeking a legal heir certificate of his deceased father Siva by making an online application on 07.12.2023.



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However, the same came to be rejected on the ground that the smart card produced by Poun Raj reflected the address of some other district. Later, the petitioner made an online application before the 2nd respondent on 09.08.2021 and the same was again rejected for the reason that the deceased person had his permanent address in Theni district.

6.A careful perusal of both the rejection orders would make it sure that the respondent authorities more particularly the respondents 2 and 5, are making the widow of deceased Siva run between pillar and post for the grant of a legal heir certificate. The authorities should be sensible in dealing with applications seeking issuance of a legal heir certificate that too when approached by a widow.

7.In view of the same, this Court quashes the rejection order passed by the 5th respondent in application No. TN-7202312071755. Further, this Court direct the petitioner to make an application afresh through her son Poun Raj once again before the 5th respondent authorities and the 5th respondent without relying upon the smart card is forthwith directed to issue a legal heir certificate of Thiru.Siva, 13/W-13, MGR Colony, Mela



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Gudalur, North Uthamapalayam, Theni, Tamil nadu, on receipt of the said online application.

8.With the above directions, this writ petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

27.01.2025

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

To

1.The District Collector,
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Madurai.

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L.VICTORIA GOWRI, J.

Sml

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