



W.P.(MD)No.5278 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.5278 of 2025

R.Thangavel

... Petitioner

-VS-

1.The District Collector,
Dindigul District, Dindigul.

2.The Tahsildar,
Athoor Taluk, Dindigul District.

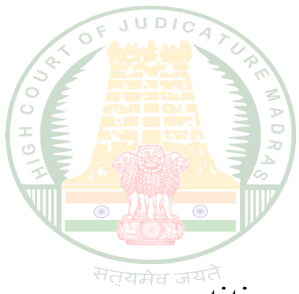
3.The Revenue Inspector,
Athoor Taluk, Dindigul District.

4.The Village Administrative Officer,
Paraipatti Village, Athoor Taluk,
Dindigul District.

5.The Branch Manager,
State Bank of India,
Athoor Branch,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to process the application in No.TN-7202502031361 for issuance of legal heir certificate to the



W.P.(MD)No.5278 of 2025

petitioner's late father Ramasamy and consequently, direct the fifth respondent to release the gold jewels in gold Jewel A/c No.AGL/23/1034, AGL/23/421 and AGL/23/3734, by accepting the affidavit of declaration document dated 22.02.2025 by the petitioner and other legal heirs, by considering the petitioner's representation dated 22.02.2025, within a time stipulated by this Court.

For Petitioner	:	Mr.K.Dinesh
For R1 to R4	:	Mr.K.S.Selvaganesan Additional Government Pleader
For R5	:	Mr.G.Radhakrishnan Standing Counsel

ORDER

This Writ Petition has been filed seeking a direction to the second respondent to process the application in No.TN-7202502031361 for issuance of legal heir certificate to the petitioner's late father Ramasamy and consequently, to direct the fifth respondent to release the gold jewels in Gold Jewel A/c Nos.AGL/23/1034, AGL/23/421 and AGL/23/3734, by accepting the affidavit of declaration document made by the petitioner and other legal heirs, dated 22.02.2025, by considering the petitioner's representation dated 22.02.2025.



W.P.(MD)No.5278 of 2025

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2. With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, his father Ramasamy had two wives namely, R.Laila (first wife), who is the petitioner's mother and Nagajothi (second wife), who is the petitioner's mother's sister. The petitioner's father passed away on 10.06.2024, leaving behind the petitioner, the petitioner's mother R.Laila, Annalakshmi and Nagalakshmi (children from the first marriage) and Nagajothi (second wife) and Sakthivel (children from the second marriage) as his legal heirs. Further, the petitioner's father had obtained three gold jewel loans from the fifth respondent bank and the due amounts have been repaid. Despite the same, the fifth respondent has refused to return the jewels, citing that the legal heirship certificate has not been provided by the petitioner. Therefore, the petitioner applied to the second respondent, but the matter remains pending without any progress. Meanwhile, the fifth respondent is attempting to auction the gold jewels. Hence, the petitioner submitted an affidavit of declaration, duly signed by all the legal heirs before a Notary Public, but the same was not accepted by the fifth respondent. Hence, the present Writ Petition.



W.P.(MD)No.5278 of 2025

WEB COPY

4. The learned Additional Government Pleader appearing for the respondents 1 to 4 submits that if the petitioner approaches the second respondent Tahsildar, his claim for a legal heirship certificate will be considered and appropriate orders will be passed on merits and in accordance with law.

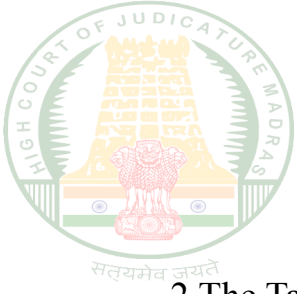
5. Considering the above said submission, this Writ Petition is disposed of, with a direction to the petitioner to submit a representation to the third respondent, within a period of 15 days from today. Upon receipt of such representation, the second respondent shall consider it on merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and all other persons, who may be interested in the subject matter, within one month thereafter. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
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WEB COPY



W.P.(MD)No.5278 of 2025

VIVEK KUMAR SINGH, J.

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W.P.(MD)No.5278 of 2025

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