



W.P(MD)No.17752 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2024

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CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.17752 of 2024

Seethalakshmi

... Petitioner

Vs.

1. The District Revenue Officer,
Thoothukkudi,
Thoothukkudi District.

2. Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Kovilpatti Taluk,
Thoothukkudi District.

3. The Tahsildar,
Kovilpatti Taluk,
Thoothukkudi District.

4. R.Seenivasan

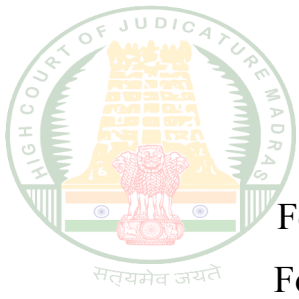
5. R.Rajagopal

6. Suganya

7. Lavanya

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the 2nd respondent in O.Mu.A6/14916/2023 dated 01.04.2024 and to quash the same and subsequently, to direct the 2nd respondent to include the name of the petitioner in the Legal heir Certificate issued by the 3rd respondent in Pa.Mu.2189/2004 dated 13.05.2004.



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For Petitioner

: Mr.M.Murugan

For Respondents

: Mr.R.Ragavendran

Government Advocate

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ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to quash the order passed by the 2nd respondent in O.Mu. A6/14916/2023 dated 01.04.2024 and subsequently, to direct the 2nd respondent to include the name of the petitioner in the Legal heir Certificate issued by the 3rd respondent in Pa.Mu.2189/2004 dated 13.05.2004.

2.The petitioner's father, namely Ramasamy, died on 13.08.1990. The deceased father is having four sons and one daughter. The petitioner is the sole daughter. The four sons are namely, Bala Subramanian, Srinivasan, Rajagopalan and Varadharajan. Varadharajan died on 12.11.1982 and he was not married. The said Varadharajan predeceased father. After the demise of the father Ramasamy, the first son, Balasubramanian, applied for legal heir certificate and the official respondents have issued the same by including the names of Balasubramanian, Srinivasan and Rajagopalan, but they have not included the petitioner's name. Being the sole daughter, the daughter has applied for including her name but the same was rejected by the impugned order stating that the petitioner has applied



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beyond the limitation period of one year.

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3.The statutory provisions has not transcribed any limitation for issuing the legal heir certificate. Therefore, this Court is inclined to set aside the impugned order. Accordingly, the impugned order is set aside and the official respondents are directed to issue notice to the petitioner and the respondents 4 to 7 and conduct an enquiry. Thereafter, the official respondents shall issue fresh legal heir certificate by cancelling the earlier legal heir certificate. The said exercise shall be completed within a period of 8 weeks from the date of receipt of a copy of this order.

4.With the above observations, this Writ Petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

08.07.2025

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

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To:

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S.SRIMATHY, J.

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**ORDER MADE IN
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