

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2015

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.12178 of 2015

And

M.P.No.1 of 2015

Mrs.K.Selvi

...Petitioner

Vs.

1. The District Collector,
Collectorate office compound,
Salem - 636 001.

2. The Revenue Divisional Officer,
Revenue Division office,
Collectorate office compound,
Salem - 636 001.

3. The Thasildhar,
Thasildhar Office,
Vazhapadi,
Salem District.

4. Mrs.Saraswathi

...Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 to recall and to cancel the forged Legal Heirship certificate Na.Mu.5577/2005/A-1 dated 19.06.2006 standing in the name of the 4th respondent based on the petitioner's representation dated 01.04.2015.

For Petitioner : Mr.M.Vijay Anand
for M/s.Sree Sun Associates

For Respondents : Mr.R.Vijayakumar for R1 to R3
Additional Government Pleader

O R D E R

By consent the writ petition is taken up for final disposal.

2.The petitioner herein on an earlier occasion approached this Court by filing W.P.No.32645 of 2014 praying for issuance of Writ of mandamus directing the official respondents to cancel the forged legal heirship certificate bearing no.Na.Mu.5577/2005/A-1 dated 19.06.2006 issued to the fourth respondent and consequently direct them to issue legal heirship certificate of the deceased, R.Shanmugasundaram in favour of the petitioner based on her representation dated 13.11.2014 and this Court vide order dated 27.02.2015, has disposed of the writ petition making it clear that the legal heirship certificate issued in the name of the fourth respondent dated 19.06.2006 cannot be used by the fourth respondent for any purpose to establish the fact that she is the sole legal heir to late Shanmugasundaram and also observed that the Civil Court while considering the civil suits which are pending or if any fresh proceedings are initiated shall decide the matter independently, based on the oral and documentary evidence without being in any manner influenced by the observations made by the Revenue Officials.

3.Thereafter, the petitioner submitted a representation dated 01.04.2015 to the third respondent to cancel the legal heirship certificate issued in favour of the fourth respondent in the light of the above said order, though it was acknowledged she has not been favoured with any response, therefore came forward to file this writ petition.

4.Heard the submissions of Mr.M.Vijay Anand, learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader appearing for the respondents 1 to 3.

5.This Court without going into the merits of the representation submitted by the petitioner, directs the third respondent to consider and dispose of the petitioner's representation dated 01.04.2015 after taking into consideration the order dated 27.02.2015 made in W.P.No.32645 of 2014 and put the fourth respondent on notice, thereafter, pass orders in accordance with law, as expeditiously as possible and not later than eight weeks from the date of receipt of a copy of this order and communicate the decision to the petitioner as well as the fourth respondent.

6.The writ petition is disposed of accordingly. No costs.
Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Collectorate office compound,
Salem - 636 001.
 2. The Revenue Divisional Officer,
Revenue Division office,
Collectorate office compound,
Salem - 636 001.
 3. The Thasildhar,
Thasildhar Office,
Vazhapadi,
Salem District.
- 2 CCs to M/s.Sree Sun Associates, Advocate SR.No. 22443
- 1 CC to the Government Pleader, SR.No. 22950

W.P.No.12178 of 2015
And
M.P.No.1 of 2015

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MSM (CO)
PSI (06.05.2015)