



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED 14.12.2016  
CORAM

**THE HONOURABLE MR. JUSTICE K. RAVICHANDRABAABU**

W.P (MD) No. 23944 of 2016

and

W.M.P (MD) Nos. 17276 and 17277 of 2016

M. Kanthimathi

.. Petitioner

**Vs**

1. The District Collector,  
Tuticorin District, Tuticorin.

2. The Revenue Divisional Officer,  
Kovilpatti Taluk, Tuticorin District.

3. The Tahsildar,  
Kovilpatti Taluk,  
Kovilpatti,  
Tuticorin District.

4. The Village Administrative Officer,  
Pasuvanthanai Village,  
Kovilpatti Taluk,  
Tuticorin District.

5. Akilandam.

.. Respondents.

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for the records relating to the impugned order passed by the third respondent in his proceedings in P.A.Mu.B17/F 1389/08, dated 31.7.2008 and to quash the same.

For Petitioner : M/s.S.Krishnan

For Respondents : Mr.T.S.Mohammed Mohideen

1 to 4

Addl.Govt.Pleader

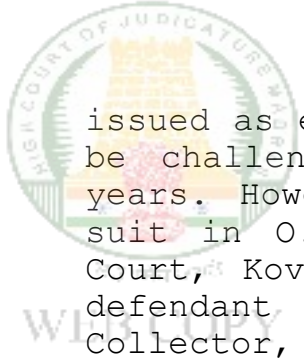
**ORDER**

The Petitioner is aggrieved against the Legal Heir Certificate issued in favour of the fifth respondent.

2.Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader takes notice for the respondents 1 to 4.

3.By consent of both parties, the main Writ Petition is taken up for disposal, at the admission stage itself.

4.According to the Petitioner, she is also one of the legal heir of one deceased Maharajan. The impugned certificate was also



issued as early as on 31.07.2008. Now that certificate is sought to be challenged before this Court after a period of nearly eight years. However, in the meantime, the Petitioner has also filed a suit in O.S.No.227 of 2012, on the file of the District Munsif Court, Kovilpatti against the 5<sup>th</sup> respondent herein as the first defendant therein and the Tahsildar, Kovilpatti and the District Collector, Thoothukudi as defendants 2 and 3 therein respectively and prayed for a decree to declare herself as the legal heir of the said Subbiah Pillai.

5. Admittedly, the said suit is still pending. When that being the factual position, I do not think that the Petitioner can maintain the present Writ Petition challenging the Legal Heirship Certificate issued as early as on 31.7.2008, as it is always open for her to seek for alteration or addition in the said certificate, if she succeeds in the suit, which is still pending between the parties.

6. Accordingly, this Writ Petition is disposed of with liberty to the petitioner to renew her request after the disposal of the suit in O.S.No.227 of 2012. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-

Deputy Registrar (J)

/True Copy/

Sub Assistant Registrar

**To**

1. The District Collector,  
Tuticorin District, Tuticorin.
2. The Revenue Divisional Officer,  
Kovilpatti Taluk, Tuticorin District.
3. The Tahsildar,  
Kovilpatti Taluk,  
Kovilpatti,  
Tuticorin District.
4. The Village Administrative Officer,  
Pasuvanthanai Village, Kovilpatti Taluk,  
Tuticorin District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 80900  
+ 1 CC TO Mr.S.KRISHNAN, ADVOCATE IN SR No. 80665

VSN

TE/SKN : 27/12/2016 : 2P/7C

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