



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 21.04.2022

CORAM

WEB COPY

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.9391 of 2022
WMP.Nos.9134 & 9137 of 2022

H.Deivanai

...Petitioner

Vs.

- 1.The Collector of Thiruvallur,
Thiruvallur-602001
- 2.The Tahsildar of Ponneri,
Ponneri-601204
- 3.The Revenue Divisional Officer (RDO),
Ponneri-601204.
- 4.G.Priya

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of certiorarified mandamus calling for the records of the respondent pertaining to the order dated 23.07.2021 of the 2nd respondent made in certificate no. TN 720210707232 and quash the same and direct the 2nd respondent to allow the legal heir certificate No.TN-7201806271183 dated 06.07.2018 of the petitioner.

For Petitioner : No Appearance

For Respondents : Mr.C.Jayaprakash

Government Advocate
for RR1 to 3

O R D E R

Petitioner is called absent.

2. The matter had come up for admission on 19.04.2022, when the following order was passed:

On the short point as to whether the impugned legal heirship certificate has been preceded by an enquiry by the Tahsildar as specifically directed by this Court by order dated 01.03.2021 in WP.No.4089 of 2019, Mr.C.Jayaprakash, learned Government Advocate for the respondents, on instructions, states that the Revenue Divisional Officer has conducted an enquiry and has furnished a report to the Tahsildar based upon which the impugned legal heirship certificate has been issued.



2.Let the files be produced on 21.04.2022.

3.List on 21.04.2022 at the end of motion list.

3. Today, Mr.C.Jayaprakash, learned Government Advocate would sing a different tune. He concedes that there has been no enquiry as specifically directed by this Court while disposing W.P.No.4089 of 2019 dated 01.03.2021.

4. At para 9 of the aforesaid order, a direction was issued to the Tahsildar, Ponneri Taluk to afford hearing to the petitioner as well as the 2nd respondent, while adjudicating their rival claims with regard to the issuance of the legal heirship certificate in the matter of H.Ranjith.

5. The submission of learned Government Pleader makes it clear that, prima facie, there has been rank contempt committed of the order of this Court and this is severely deprecated.

6. Mr.Jayaprakash states that the authorities will now withdraw the legal heirship certificate bearing Certificate No.TN- 720210707232 dated 23.07.2021. Let this be done forthwith, not however absolving the respondents from the contempt committed. Costs of an amount of Rs.10,000/- is imposed upon R2, payable to Cancer Institute, Adyar, Chennai-20. Let proof of compliance be placed before the Registry within a period of one week from today.

7. The direction at para 8 of order dated 01.03.2021 in W.P.No.4089 of 2019 is reiterated. Notice shall be issued to the petitioner as well as R4 in this writ petition, both parties heard and a decision taken thereafter in regard to the issuance of legal heirship certificate.

8. This writ petition is disposed in the above terms. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

ska
To

1.The Collector of Thiruvallur,
Thiruvallur-602001



2.The Tahsildar of Ponneri,
Ponneri-601204

3.The Revenue Divisional Officer (RDO),
Ponneri-601204.

WEB COPY

+1 cc to Mr.V.Nandagopalan, Advocate Sr.NO.

+1 cc to Government Pleader Sr.NO. 27989

W.P. No.9391 of 2022

WMP.Nos.9134 & 9137 of 2022

ssd(CO)

A.SK(31/05/2022)