

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2022

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

WP No. 27377 of 2019
and WMP No.26834 of 2019

K. Kanagaraj ... Petitioner

vs.

1. The Tahsildhar
Alandur Taluk,
Kancheepuram District.

2. Karpagam

3. Durairaj

4. Ramesh

5. Rajeswari ... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the order of rejection dated 31.05.2019 issued by the first respondent herein through Short Message Service to the petitioner thereby rejecting the petitioner online application no.TN-720190225778 dated 25.02.2019 seeking legal heir certificate of his demised father namely P.Kesavan S/o. Poongavanam, quash the same and consequently direct the first respondent herein to issue legal heir certificate as requested by the petitioner through his aforesaid application.

For Petitioner : Mr.G.Magesh Kumar

For Respondents : Ms.V.Yamunadevi
Spl. Government Pleader, for R1

No appearance for RR2 to 5

O R D E R

Challenge in the Writ Petition is to the order of the Tahsildhar rejecting the request of the petitioner for issuance of a Legal Heirship Certificate based on a decree granted by the Civil Court.

2. It is not in dispute that the petitioner was the first defendant in OS No.643 of 2012, before the Principal District Munsif, Alandur, wherein it has been declared that the plaintiff and defendants 1 to 3 of the legal heirs of the deceased Kesavan son of Poongavanam Naicker, who died intestate on 26.04.2009. The petitioner wants the Tahsildhar to affix his seal of approval to the decree of the Civil Court by elevating the Tahsildhar as the Appellate Authority above the Civil Court. I do not think such a course is permitted. Once the Civil Court has granted a decree, issuance of the Legal Heirship Certificate by the Tahsildar is wholly redundant. Hence the prayer of the petitioner is rejected and the Writ Petition is dismissed. No costs. Consequently the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-IV)

// True Copy //

Sub Assistant Registrar

jv

To

1.The Tahsildar
Alandur Taluk,
Kancheepuram District.

+lcc to Mr.G.Magesh Kumar, Advocate SR.No.39390
+lcc to the Government Pleader, SR.No.39862

WP No. 27377 of 2019
and WMP No.26834 of 2019

RLD(CO)
CB(27/07/2022)