



W.P.No.33242 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

W.P.No.33242 of 2022
and
W.M.P.No.32668 of 2022

P.Selvarathi

..Petitioner

Vs.

1.The District Collector,
Chennai District,
Chennai.

2.The Revenue Divisional Officer,
Cehnnai Division,
Chennai.

3.The Tahsildar,
Tondiarpet Taluk,
Chennai.

4.Renugadevi

5.Yesudas

6.Tamizhmuthu

7.Joseph

..Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Mandamus, directing the respondents 1 and 2 to consider the representation dated 12.08.2022 made by the petitioner, seeking to cancel the legal heir certificate dated 28.11.2013 in Sl.No.5235, issued by the third respondent, in accordance with law and procedure, within a time frame as may be fixed by this Court.

For Petitioner : Mr.W.M.Abdul Majeed

For Respondents : Mr.U.Baranidharan,

Additional Government Pleader for R1 to R3

ORDER

The petitioner seeks cancellation of the legal heir ship certificate certifying certain persons to be the legal heirs of the deceased Pandian.

2. According to the petitioner, the persons who are shown as legal heirs are not the actual legal heirs of Pandian. A Full Bench of this Court in ***P.Venkatachalam Vs. The Tahsildar, Kumarapalayam Taluk*** dated ***17.06.2022*** in ***W.P.No.25247 of 2021 etc., batch,*** has held that the legal heirship certificate issued by the Tahsildar is not a valid instrument evidencing heirship and it does not confer any right of succession over the persons shown there as legal heirs. It has been clearly pointed out that it is



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only an evidence of relationship.

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3. Therefore, I do not see any reason to cancel the certificate except to make it clear that it is for the petitioner to go to a civil Court seeking appropriate relief. In the event the petitioner goes before the civil Court this legal heirship certificate will not be binding on the civil Court and the Civil Court has to decide on its own merits.

4. Accordingly this writ petition is **dismissed**. No costs. Consequently, the connected miscellaneous petition is closed.

12.12.2022

dsa
Index : No
Internet : Yes
Speaking order



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To

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R.SUBRAMANIAN, J.

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