



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) No.23004 of 2021

WEB COPY

D.Tamilganeshan

... Petitioner

vs.

1.The District Collector,
Madurai District, Madurai.

2.The Tahsildar,
North Taluk,
District Collectorate Office Campus,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to consider the petitioner's representation, dated 18.12.2021 sent to the second respondent.

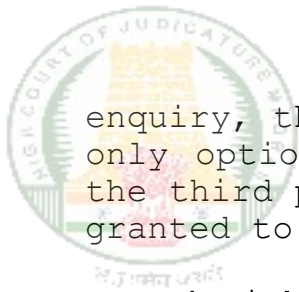
For Petitioner : Mr.P.Jagadeesh
For Respondents : Mr.J.John Rajadurai
Government Advocate

O R D E R

The petitioner had filed the present petition in the nature of Writ of Mandamus, seeking consideration of a representation, dated 18.12.2021.

2.The entire issue surrounds, the legal heirship certificate originally issued on 02.08.2016 with respect to one Dachanamoorthy. The petitioner is one of the sons of Dachanamoorthy. By way of the said legal heirship certificate, the petitioner along with his three other brothers and his mother had been recognized as legal heirs of the said Dachanamoorthy. This legal heirship certificate was issued on 02.08.2016. However, it appears that there are rival claimants seeking to include their names also in the legal heirship certificate and the writ petition has been filed to protect the interest of the petitioner and his family members from being ousted or de-recognised as legal heirs of Dachanamoorthy.

3.A direction is given to the second respondent/Tahsildar, North Taluk, Madurai, to, before examining any representation given with respect to the legal heirship certificate of Dachanamoorthy, who died on 04.07.2016 and who was residing at Door No.H/76, TNHB Colony, Koodal Nagar, Madurai, issue notice to the petitioner and to all those for whom the legal heirship certificate was earlier given and conduct necessary enquiry. If it is found during the course of



enquiry, that he could not come to any specific conclusion, then the only option available for him is to direct the said petitioner or the third party who questions the legal heirship certificate already granted to approach the civil Court to establish their rights.

4. With the above said observations, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sjj

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The District Collector,
Madurai District, Madurai.

2. The Tahsildar,
North Taluk,
District Collectorate Office Campus,
Madurai.

+1 CC to M/s.V.ALAGESHKUMAR, Advocate (SR-26[F] dated 03/01/2022)

+1 CC to M/s.SPL.GP (SR-328[F] dated 05/01/2022)

W.P. (MD) No.23004 of 2021
03.01.2022

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