



W.P.No. 301 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06.01.2023**

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No. 301 of 2023

S.N. Prasanna Kumar

... Petitioner

Vs

1. The Sub Collector, Hosur
Krishnagiri District.

2. The Thasildar
Soolagiri
Krishnagiri District

3. Thasildar,
Hosur,
Krishnagiri District
Krishnagiri District

4. Janarthana

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Certiorarified Mandamus, to call for the records in Muu.mu No. 3214/2022/A4 dated 28.12.2022 on the file of the first respondent and quash the same and further restraining the 1-3 respondents from cancelling the legal heir certificate granted in Pa.Mu No. 13886/2003/C1, dated 18.11.2003 on the file of the third respondent.

For Petitioner : Mr. S.C. Vishwanath
For Respondent : Mr. V. Baranitharan
Additional Government Pleader
for respondents 1 to 3



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ORDER

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The impugned order passed on 28.12.2022, relates to the legal heirship certificate already obtained by the petitioner with respect to his father. The father died in the year 2003. Thereafter, the fourth respondent appears to have given a representation and has once again raised an issue claiming that his mother was the second wife of the father of the petitioner herein. The first respondent had passed an order, which is now impugned in the present writ petition. As against that particular order, the petitioner has an alternate remedy namely to file a revision before the District Revenue Officer at Krishnagiri District. The time period for filing such a revision as stated in the order is one year. The petitioner still has time to prefer such revision.

2. The petitioner may therefore take a decision whether he wants to file a revision or accept to the order already passed. Once there is an alternate legal remedy available, the petitioner should explore that particular path before approaching the writ court. The writ court cannot adjudicate on facts particularly, a fact whether the mother of the fourth respondent was actually married to the father of



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the writ petitioner or not. It is purely an issue which can be decided only by the authorities. It is advisable that the petitioner approaches the proper authority for redressal.

3. Stating as above, the writ petition stands disposed of. No costs. Consequently, W.M.P.No. 288 of 2023, is closed.

06.01.2023

Index: Yes/no
mrn

To

1. The Sub Collector, Hosur
Krishnagiri District.
2. The Thasildar
Soolagiri
Krishnagiri District
3. Thasildar,
Hosur,
Krishnagiri District
Krishnagiri District



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C.V.KARTHIKEYAN, J.

(mrn)

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