



WEB COPY



W.P. No.9397 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No.9397 of 2020

M.Syed Abbas

... Petitioner

Vs

1. The State of Tamil Nadu
rep. By its Secretary,
Revenue Department,
Secretariat,
Fort. St. George,
Chennai – 600 009.

2. The District Collector,
Chennai Collectorate,
Chennai – 600 001.

3. The Revenue Divisional Officer,
Chennai North,
Chennai – 600 001.

4. The Tahsildar,
Fort Tondiarpet,
Revenue Department,
Chennai – 600 003.

5. A.K. Mohamed Ali
(Deceased)

6. M. Peer Mohamed

7. M. Syed Esha



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8. M. Ahmed Masthan

*9. K. Saaibu Nisha

10. R. Ayisha Mariyam

11. Shamsu Nisha

#12. The Tahsildar,
Puraswalkam Taluk Office,
3, Raja Muthiah Road,
Subramania Salai,
Kannappar Thidal,
Periyampet,
Chennai – 600 003.

*(R9 to R11 – substituted as Lrs of deceased R5)

#(R12 impleaded vide order dt. 11.1.2021

made in W.M.P. No.19941 of 2020)

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's Application dated 18.03.2020 on merits and dispose the same in accordance with law.

For Petitioner

: Mr.J.Moin

For respondents

: Mr.V. Manoharan,

Addl. Govt. Pleader

R1 to R4 and R12

Ms.K. Poomalar for R6 & R7

Mr.S.Thirukumaran for R8

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the 2nd respondent to consider the petitioner's Application dated 18.03.2020.



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2. The case of the petitioner is that he is the Son of the 5th respondent and the respondents 6 to 8 are his brothers. His mother Jailani Beevi died on 21.02.2011 and subsequently, the 4th respondent has issued a Legal Heirship Certificate on 18.03.2011 in favour of the petitioner, respondents 5 to 8 along with his three sisters. It is stated that subsequently at the instigation of the respondents 5 to 8, the 4th respondent issued a bogus Legal Heirship Certificate dated 11.08.2011, whereby the name of the petitioner was deleted. Challenging the said Legal Heirship Certificate dated 11.08.2011, the petitioner has made an application for cancellation, which has not been considered by the respondents, till date. Hence, this writ petition.

3. Learned counsel for the respondents 6 and 7 submitted that during the pendency of this writ petition, the Legal Heirship Certificate, dated 11.08.2011 was cancelled vide Proceedings of the 3rd respondent, dated 13.07.2021 and therefore, nothing survives for further adjudication.



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4. Recording the above submissions, this writ petition is closed. No

costs.

02.06.2023

Index: Yes/ No

Speaking order / Non speaking order

Neutral citation : Yes / No

vsi2

To

1. The Secretary,
The State of Tamil Nadu
Revenue Department,
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Fort. St. George,
Chennai – 600 009.

2. The District Collector,
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Chennai – 600 001.

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4. The Tahsildar,
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M.DHANDAPANI, J.

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