



W.P.No.22695 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.22695 of 2023
and W.M.P.No.22228 of 2023

Rajamani

... Petitioner

Vs.

1.The District Collector
District Collector Office
Kallakurichi District

2.The District Revenue Officer
District Collector Office, Kallakurichi
Kallakurichi District

3.The Revenue Divisional Officer
District Collector Office, Kallakurichi
Kallakurichi District

4.The Tahsildar
Chinnasalem Taluk
Kallakurichi District

5.Revenue Inspector
Chinnasalem Taluk
Kallakurichi District



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6.The Village Administration Officer
Chinnasalem Taluk
Kallakurichi District

7.Thangapapa

... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, calling for the records relating to Legal Heir Certificate No.TN-7202201101206 dated 01.02.2022 issued by the 4th respondent in favour of the said Thangappa / 7th respondent herein and quash the same as illegal, non-est and void.

For Petitioner : Mr.D.Murugan

For Respondents : Mr.S.J.Mohamed Sathik
Government Advocate for R1 to R6

ORDER

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner has filed a representation before the 4th respondent Tahsildar vis-a-vis a legal heir certificate given to the 7th respondent as the wife of one Thangarasu. The petitioner claims that she is the wife of Thangarasu and not the 7th respondent and seeks cancellation of the legal heir certificate issued by the



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4th respondent to the 7th respondent.

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3.Mr.S.J.Mohamed Sathik, the learned Government Advocate has taken notice for the respondents 1 to 6. He submitted that in terms of G.O.(Ms).478, Revenue and Disaster Management, Revenue Administration Wing RA-3(2) Section, dated 29.09.2022, an appeal provision is available and the petitioner should have filed an appeal to the 3rd respondent.

4.The issue is both the petitioner and the 7th respondent have a legal heir certificate as the wife of Thangarasu. The dispute involves a question of fact and therefore the petitioner is now required to file necessary application before the 3rd respondent, R.D.O. within a week from today. As and when the petition is filed by the petitioner before the 3rd respondent, R.D.O., the latter is required to hold an enquiry after hearing all the parties who are likely to be affected thereby and dispose of the same within a period of eight (8) weeks from the date of filing of the representation.

5.This writ petition stands disposed of accordingly. No costs. Consequently, the



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connected miscellaneous petition is closed.

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Index : Yes / No

Neutral citation : yes/no

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6.The Village Administration Officer
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N.SESHASAYEE, J.



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