



W.A.No.2196 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.08.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVU

W.A.No.2196 of 2023

M.M.Sajitha Fathima

.. Appellant

Vs

1. The State of Tamil Nadu
rep. by the Secretary to Government
Department of Revenue and Disaster Management
Chennai.
2. The Tahsildar
Sholinganallur Taluk
Chennai.
3. The Village Administrative Officer
Sholinganallur Taluk
Chennai.
4. The Revenue Inspector
Sholinganallur Taluk
Chennai.
5. The Revenue Divisional Officer
Chennai South, Guindy
Chennai – 600 032.



W.A.No.2196 of 2023

6. The District Revenue Officer
62, Rajaji Salai
Chennai Collectorate
Chennai – 600 001.

7. The District Collector
Fourth Floor, M.Singaravelar Maaligai
62, Rajaji Salai
Chennai Collectorate
Chennai – 600 001.

.. Respondents

Prayer: Appeal under Clause 15 of the Letters Patent against the order dated 9.6.2023 passed by the learned Single Judge in W.P.No.17226 of 2023.

For the Appellant	: Mr.Thriyambak J.Kannan
For the Respondents	: Mr.P.Muthukumar State Government Pleader assisted by Mr.K.M.D.Muhilan Addl. Government Pleader

JUDGMENT
(Delivered by the Hon'ble Chief Justice)

We have heard Mr.Thriyambak J.Kannan, learned counsel for the appellant; and Mr.P.Muthukumar, learned State Government Pleader, assisted by Mr.K.M.D.Muhilan, learned Additional



W.A.No.2196 of 2023

Government Pleader for the respondents.

WEB COPY

2. In fact, the present appellant had filed a writ petition seeking directions to decide the revision preferred by her with regard to the legal-heirship certificate. The learned Single Judge observed that the issue involves disputed questions of fact and the revenue authorities are not competent to decide the issue and an alternative remedy is available with the competent civil court.

3. A civil suit is already pending with regard to the settlement deed. Various persons are not parties to the writ petition and this appeal. No doubt, the appellant and/or any other person claiming to be the legal heir of the deceased can institute a civil suit and raise all points available therein and can also invoke the provisions of the Indian Succession Act, 1925, as may be permissible under law. The observations of the learned Single Judge are to that effect only.

4. As the revision is pending, the authority, where the revision



W.A.No.2196 of 2023

is pending, may decide the same on merits and in accordance with law, after hearing all the parties concerned, expeditiously.

The writ appeal is disposed of accordingly. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

23.08.2023

Index : Yes/No
Neutral Citation : Yes/No
sasi



W.A.No.2196 of 2023

WEB COPY

To

1. The Secretary to Government
State of Tamil Nadu
Department of Revenue and Disaster Management
Chennai.
2. The Tahsildar
Sholinganallur Taluk
Chennai.
3. The Village Administrative Officer
Sholinganallur Taluk
Chennai.
4. The Revenue Inspector
Sholinganallur Taluk
Chennai.
5. The Revenue Divisional Officer
Chennai South, Guindy
Chennai – 600 032.
6. The District Revenue Officer
62, Rajaji Salai
Chennai Collectorate
Chennai – 600 001.
7. The District Collector
Fourth Floor, M.Singaravelar Maaligai
62, Rajaji Salai
Chennai Collectorate
Chennai – 600 001.



W.A.No.2196 of 2023

THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU,J.

(sasi)

W.A.No.2196 of 2023

23.08.2023