



WA No.2502 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2023

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WA No.2502 of 2023

Thandapani Subramanian : Appellant

versus

1.The District Collector,
Kancheepuram District

2.The Tahsildar,
Pallavaram Taluk,
Chennai 600044

: Respondents

Prayer: Writ appeal filed under Clause 15 of the Letters Patent against the order of the learned Single Judge dated 30.06.2023 in WP No.19484 of 2023.

For the Appellant : Mr.S.Rajasekar

For the Respondents : Mr.P.Muthukumar,
State Government Pleader



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JUDGMENT

(Made by the Hon'ble Chief Justice)

We have heard Mr.S.Rajasekar, learned counsel for the appellant and Mr.P.Muthukumar, learned State Government Pleader, for the respondents.

2. The appellant claims to be the brother of late Mr.V.S.Sankaran. The said Mr.V.S.Sankaran was married to one Mrs.Rajini Sankaran and they had a son by name Deepak. It is the case of the appellant that Mr.Deepak died on 15.02.2007, Mrs.Rajini Sankaran died on 14.05.2021 and Mr.V.S.Sankaran died on 29.09.2022. Mr.V.S.Sankaran died intestate. A property owned by Mrs.Rajini Sankaran is left behind. The appellant seeks legal heirship certificate in respect of the said property.

3. The learned Single Judge has dismissed the writ petition and observed that the appellant could approach the civil court.



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4. Property of Mrs.Rajini Sankaran, wife of deceased brother of the appellant, is claimed by the appellant. In case Mrs.Rajini Sankaran received the property from her parents, after her death, the property will revert back to her parents. Inquiry will be required to be conducted. In view of that, we do not find any error in the order of the learned Single Judge directing the appellant to approach the Civil Court. If the appellant approaches the Civil Court, all contentions are kept open.

5. The writ appeal as such is dismissed. There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

01.11.2023

Index : Yes/No
Neutral Citation : Yes/No
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To

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