



WEB COPY



W.P.No.2776 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2023

CORAM

THE HON'BLE MR. JUSTICE C. V. KARTHIKEYAN

Writ Petition No.2776 of 2023

1. Mrs. Faridha Banu

2. Miss. Afrin Bathiriya (Minor),
(Rep. by her mother Mrs. Faridha Banu),
D/o. Late. Mr. Mohamed Hasan

... Petitioners

Versus

1. The District Collector,
District Collector Office,
Chengalpet, Chengalpet District.

2. The Tahsildar,
Vandalur Taluk,
Chengalpet District.

3. The Revenue Divisional Officer,
Revenue Divisional Office,
Tambaram Taluk,
Chengalpet District.

4. Mrs. Rajitha Begam

5. Mr. Samsul Rahman

6. Mr. Haja Mohideen

7. Mr. Mohamed Idris

8. Mr. Ahamed Meeran

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to cancel the Legal Heir Certificate of Late.Mr. Mohamed Hasan, dated 01.12.2021 in the name of respondents 4 to 8 and consequently, direct the 3rd respondent to conduct proper enquiry, based on the petitioner's representation dated 12.08.2022, within a stipulated time.

For Petitioners : Mr. RA. Sivadhara Adyaman

For R1 to R3 : Mr.U.Baranitharan,
Additional Government Pleader

ORDER

The petitioner is aggrieved by an order of a Tahsildar, dated 01.12.2021, relating to grant of Legal Heirship Certificate.

2. Questioning that particular order, the petitioners should file an Appeal under the provisions of the Act and the circular. But unfortunately, they had preferred a representation on 12.08.2022 to the 1st respondent, District Collector and separately to the 2nd respondent, Tahsildar and also separately to the 3rd respondent, Revenue Divisional Officer.



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3. Let the Revenue Divisional Officer first examine whether that particular representation whether it is still available in his office.

4. If the representation is available, then, he may convert the same as an Appeal against the order of the Tahsildar and proceed further to hear it in accordance with the rules and regulations.

5. If the said representation is not available, then, the petitioners may forward a copy of the very same representation and no further additions can be made and then, the Revenue Divisional Officer may proceed further with it. The Revenue Divisional Officer can take the representation of the petitioners and the said date of the original representation namely, 12.08.2022 as the date of filing representation/Appeal against the order of the Tahsildar.

6. The Writ Petition stands disposed of with the above observation.

No order as to costs.

06.02.2023
(1/2)

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Index : Yes/No

Internet : Yes/No



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To:

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C. V. KARTHIKEYAN, J.
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