



WEB COPY



W.P.No.3211 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2024

CORAM :

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P.No.3211 of 2024

M.Manodhambal

.. Petitioner

VS

1.The District Collector,
Collector Office,
Ariyalur – District.

2.The Revenue Divisional Officer,
Thirumanoor Village,
Ariyalur – District.

3.The Tasildhar,
Dhasildhar Office,
Ariyalur – District.

4.Mrs.R.Rajamani

5.R.Thiruveragam

6.R.Palanisamy

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the 1st respondent to conduct the enquiry and pass an order in Appeal No. Na.Ka.Voo.3/945/2023 as early as possible by expeditiously in accordance with law.

For Petitioner : Ms.R.Pushpalatha

For Respondents : Mr.S.John J Raja Singh
Additional Government Pleader
for R1 to R3



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ORDER

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This writ petition is filed by a senior citizen claiming to be the only daughter of Late Rengasamy and Late Rajambal. She states that Rajambal is first wife of Late Rengasamy. According to her, her father had married to R4 and thereafter begotten two sons, who are arrayed as R5 and R6.

2. She states that a legal heirship certificate had been obtained by the private respondents without reference to her, challenging which, she had filed writ petition in W.P.No.14564 of 2022 before this Court. That writ petition was disposed on 13.06.2022 directing the petitioner to file a statutory appeal before the concerned Revenue Divisional Officer.

3. Enquiry was caused thereafter by the Revenue Divisional Officer resulting in cancellation of the legal heirship certificate obtained by the private respondents on 28.02.2017. As against the same, R6 is stated to have filed a statutory appeal before the R1/ District Collector, Ariyalur on 27.01.2023.

4. No notice has been issued to the private respondents in this writ petition and no prejudice would be caused to them by virtue of this order as their interests have been duly taken note of and duly protected as well.

5. On instructions, Mr.S.John J Raja Singh, learned



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Additional Government Pleader, who accepts notice for the official respondents, would confirm that the appeal filed by the private respondents in Appeal No. Na.Ka.Voo.3/945/2023 is pending before the District Collector, Ariyalur. It is unknown as to whether the petitioner has been arrayed as a party in that appeal.

6. Hence and bearing in view the fact that the present petitioner is a senior citizen, mandamus is issued to R1 / District Collector to pass orders in Appeal No.Na.Ka.Voo.3/945/2023 within a period of 12 weeks from today, after hearing the private respondents / appellants in that appeal, the petitioner herein, as well as any others, who may be necessary for a proper adjudication of the matter, in accordance with law.

7. This writ petition stands disposed in terms of this order.

No costs.

13.02.2024

Index:Yes/No

Neutral Citation:Yes/No

ssm

To

1.The District Collector,
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3.The Tasildhar,
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DR. ANITA SUMANTH,J.

ssm

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