



W.P.No.25512 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.25512 of 2022

R.Natarajan

..... Petitioner

Vs.

1.The District Collector,
Namakkal,
Namakkal District.

2.The District Revenue Officer,
Namakkal,
Namakkal District.

3.The Tahsildar,
Namakkal, Namakkal District.

4.R.Pappathi
5.R.Sivakami
6.R.Jothi
7.R.Kanna

..... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing 1 to 3 respondents to cancel the legal heirs certificate issued by the 3rd respondent Tahsildar, Namakkal in N.Mu.14750 of 2013, dated 08.07.2013 pursuant to petitioner representation dated 29.09.2014.

For Petitioner : Mr.T.Balachandran
For Respondents : Mr.R.Neelakandan
Additional Advocate General
Assisted by Mr.V.Ramesh
for R1 to R3

ORDER

The petitioner herein seeks a direction to the respondents 1 to 3 to cancel the legal heirship certificate issued by the 3rd respondent in N.Mu.14750 of 2013, dated 08.07.2013 by considering the petitioner's representation dated 29.09.2014.

2. It is the case of the petitioner that his father viz., Rajagopal S/o. Aiyyamuthu Gounder died on 06.12.2012. The petitioner is the son of said Rajagopal through his first wife. Suppressing the existence of petitioner, the second wife of petitioner's father viz., R.Pappathi obtained legal heir ship certificate, as if she and her children alone were legal heirs of



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the deceased. After acquiring knowledge about the same, the petitioner submitted a representation dated 29.09.2024 to the Revenue Divisional Officer, Namakkal, and the same has not been considered, hence the petitioner has come before this Court.

3. Mr.R.Neelakandan, learned Additional Advocate General appearing for the respondents 1 to 3 would submit that in case of suppression of any material fact concerning the legal heirship certificate, Tahsildar is the competent authority to pass necessary order in accordance with law. The learned Additional Advocate General relied on G.O.Ms.No.110, dated 13.10.2024 and submitted that the issuing authority namely the 3rd respondent himself is entitled to go into the question of suppression of material fact raised by the petitioner.

4. In view of the same, the petitioner is directed to submit a fresh representation before the 3rd respondent mentioning his grievance within a period of two weeks from the date of receipt of copy of this order. If any such representation is made by the petitioner, the 3rd respondent is



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directed to consider the same and pass orders in accordance with law within
a period of eight weeks from the date of receipt of representation.

5. Accordingly, this writ petition is disposed of. No costs.

25.11.2024

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

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Namakkal,
Namakkal District.

2.The District Revenue Officer,
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3.The Tahsildar,
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S.SOUNTHAR, J.

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