



WEB COPY

W.A.No.3607 of 2



THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.A.No. 3607 of 2024
and
C.M.P.No.28232 of 2024

Raj

...Appellant

Vs.

- 1.The District Collector,
Thiruvallur District.
- 2.The District Revenue Officer,
Thiruvallur District.
- 3.The Sub-Collector,
Thiruvallur District,
Office of the District Collector,
Thiruvallur.
- 4.The Tahsildar,
Avadi, Thiruvallur District.

5.Mariammal

...Respondents



Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to set aside the order dated 23.09.2024 passed in Writ Petition No.33488 of 2023.

WEB COPY

For Appellant : Mr.M.Elumalai
For Respondents 1 to 4 : Mr.Vadivelu Deenadayalan,
Additional Government Pleader

J U D G M E N T

(Judgment of the Court was delivered by ***R.SUBRAMANIAN, J.***)

The appellant has been rightly referred to the civil Court. It is the case of the appellant that his father one Xavier had married thrice and the legal heirship certificate has been issued by the Tahsildar including the name of the third wife as the legal heir. Therefore, the appellant sought for cancellation of the said certificate.

2. The writ Court had held that once there is a dispute regarding legal heirship, the same has to be resolved by the civil Court and cancellation of certificate cannot be a remedy.

3. We see no reason to interfere with the conclusion of the writ Court.



WEB COPY

W.A.No.3607 of 2



The legal heirship certificate issued by the Tahsildar is not a final document and it is only for the purpose of effecting transfers, that will not confer any status on the person shown as the legal heir. Therefore, it is open to the appellant to establish his claim before the appropriate civil Court by impleading necessary parties.

4. Hence, this Writ Appeal is **dismissed**. No costs. Consequently, the connected miscellaneous petition is closed.

(R.S.M., J.) (C.K., J.)
10.12.2024

dsa
Index : No
Neutral Citation : No
Speaking Order



To

WEB COPY

- 1.The District Collector,
Thiruvallur District.
- 2.The District Revenue Officer,
Thiruvallur District.
- 3.The Sub-Collector,
Thiruvallur District,
Office of the District Collector,
Thiruvallur.
- 4.The Tahsildar,
Avadi, Thiruvallur District.



W.A.No.3607 of 2



WEB COPY



W.A.No.3607 of 2

R.SUBRAMANIAN, J.
and
C.KUMARAPPAN, J.

dsa

W.A.No. 3607 of 2024

10.12.2024