



WEB COPY



W.P.No.34320 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2024

CORAM :

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

**Writ Petition No.34320 of 2024
and WMP No.37191 of 2024**

T.Manogari

.... Petitioner

.Vs.

1.The District Collector
Chengalpet
Chengalpet District.

2.The Revenue Divisional Officer/
The Sub Collector
Chengalpet
Chengalpet District.

3.The Tahsildar
Thirukalukundram Taluk
Thirukalukundram
Chengalpet District.

. . Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records of the 2nd respondent herein relating to his proceedings in Na.Ka.Na.1860/2024/E1 dated 4.10.2024 with regard to issuance of legal heir certificate to the petitioner.



W.P.No.34320 of 2024

For Petitioner : Mr.R.Chandrasekaran
For Respondents : Mr.R.Neelagandan
Additional Advocate General
Asst.by
Mr.S.Balamurugan
for R1 to R3

ORDER

The writ petition has been filed in the nature of a certiorari seeking records of the 2nd respondent, Revenue Divisional Officer/Sub Collector at Chenpalpet District in proceedings dated 04.10.2024, relating to issuance of Legal Heirship Certificate to the petitioner.

2.The issue of grant of Legal Heirship Certificate is a vested question and consequent to conflicting orders passed by this Court, the issue was referred to a larger Bench. Finally, the Government had issued comprehensive guidelines annexed to G.O.(Ms).No.478 Revenue & Disaster Management Department on 29.09.2022 relating the guidelines and procedures for issuance of Legal Heirship Certificate had been very clearly stated in the said annexure. In the instant case, the petitioner is aggrieved by the Order passed by the Sub Collector/Revenue Divisional Officer at Chengalpet. As against that particular order, a revision



W.P.No.34320 of 2024

provision was provided under Clause 7(2) of the guidelines in the annexure referred supra. The said provision is as follows:

7(2).Revision:-

The power of revision over the orders passed by the Revenue Divisional Officer lies with the District Revenue Officer and Revision Petition shall be filed with a period of 1 (one) year from the date of passing of the order in appeal.

3. The writ petition therefore is not maintainable. But however, liberty is granted to the petitioner to file a revision before the District Revenue Officer at Chengalpet. If the petitioner is disadvantaged by limitation, the petitioner may prefer the said revision within a period of three weeks, then the issue of limitation may not be applied to him. The District Revenue Officer/Divisional Authority may issue notice to all contesting parties and then pass necessary orders. No costs. Consequently, connected miscellaneous petition is closed.

15.11.2024

Index : Yes/No

NCS : Yes/No

KP



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C.V.KARTHIKEYAN.,J

KP

To

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Chengalpet District.
- 2.The Revenue Divisional Officer/
The Sub Collector
Chengalpet
Chengalpet District.
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Thirukalukundram Taluk
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