



W.P.(MD)No.10724 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.11.2024

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.10724 of 2013

S.P.Murthy

...Petitioner

Vs

1.The District Collector,
Tiruchirappalli District.

2.The Revenue Divisional Officer,
Lalgudi Taluk,
Tiruchirappalli District.

3.The Tahsildar,
Manachanallur Post,
Trichy District – 621 005.

4.The Deputy Tahsildar,
Manachanallur Post,
Trichy District – 621 005.

5.Shajahan (died)

6.S.Dilshad

7.S.Nishad Ahmad

8.S.Humera

9.Roshanara

... Respondents

(R-6 to R-9 are substituted vide court order dated 07.11.2024 in M.P.(MD)No.1 of 2013 in W.P.(MD)No.10724 of 2013)



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus, directing the first respondent to take immediate action on the petitioner's complaint dated 15.11.2010 pertaining to the issue of fraudulent legal heir certificate dated 22.09.2001 by the third respondent.

For Petitioner : Ms.Maria Roseline

For R-1 to R-4 : Mr.R.Suresh Kumar
Additional Government Pleader

For R-6 to R-9 : No Appearance

ORDER

Heard Ms.Maria Roseline, learned counsel for the petitioner and Mr.R.Suresh Kumar, learned Additional Government Pleader for respondents 1 to 4.

2. This Writ Petition has been filed praying for a Mandamus, directing the first respondent to take immediate action on the petitioner's complaint dated 15.11.2010 pertaining to the issue of fraudulent legal heir certificate dated 22.09.2001 by the third respondent.



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3. When the matter was taken up for hearing on 07.11.2024, it is noted that in the impleading petition, the proposed respondents, had not appeared before this Court. For the reasons stated in the affidavit, the impleading petition was allowed and the Writ Petition has been listed today and when the matter was taken up for hearing, there is no representation on the side of the respondents 6 to 9.

4. The learned counsel for the petitioner would submit that on a complaint given by the petitioner, the third respondent had conducted an enquiry and by a communication dated 19.09.2011 had forwarded the report to the second respondent for further action. The present Writ Petition was filed in the year 2013. Even as of now, no action has been initiated by the second respondent herein.

5. The learned counsel for the petitioner would further submit that a reading of the report of the third respondent itself indicates that no such certificate was issued by the office of the third respondent and no back file relating to the said certificate was available in the office of the third respondent and would also indicate that the third respondent himself has given a finding that the said certificate was not in the usual



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format that is being followed by the Revenue Department for grant of legal heirship certificate.

6. Since the official respondents themselves had indicated that no such certificate had been given and a perusal of the said certificate also shows that the same is not in the format as prescribed by the authorities, the said certificate could only be deemed to be an invalid certificate having no consequences whatsoever.

7. In view of the above findings, I am inclined to hold that the impugned certificate is an invalid certificate having no force of law.

8. With the above observations, this Writ Petition is disposed of.

No costs.

11.11.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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To:
WEB COPY

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K.KUMARESH BABU, J.

Nsr

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