



W.P.(MD)No.18798 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 05.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.18798 of 2024

Mookan

... Petitioner

Vs.

1.The District Collector,
Collectorate, Pudukkottai District.

2.The Revenue Divisional Officer,
Illuppur Taluk, Pudukkottai District.

3.The Tahsildar, Taluk Office,
Viralimalai Taluk, Pudukkottai District.

4.Subramani

5.Alagammal

.... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents 2 and 3 to conduct the enquiry on the petitioner's representation dated 12.06.2024 regarding to cancel the legal heir certificate of petitioner's deceased father namely Karupaiah and consequently to issue the fresh legal heir certificate to include the petitioner's name.



W.P.(MD)No.18798 of 2024

For Petitioner : Mr.A.Arul Jenifer
for M/s.KBS Law Office
For Respondents : Mr.D.Sadiq Raja,
Addl. Govt. Pleader for R1 to R3

ORDER

This Writ Petition has been filed seeking direction to the respondents 2 and 3 to conduct the enquiry on the petitioner's representation dated 12.06.2024 regarding to cancel the legal heir certificate of petitioner's deceased father namely Karupaiah and consequently to issue the fresh legal heir certificate to include the petitioner's name.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader, who takes notice for the respondents 1 to 3. Since no adverse order is going to be passed against the respondents 4 and 5, notice to the respondents 4 and 5 is dispensed with.

3. With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

4. It is the case of the petitioner that he is the son born through the first wife of one Karupaiah. 5th respondent is the second wife of said Karupaiah. 4th



W.P.(MD)No.18798 of 2024

respondent is the son of 5th respondent. According to the petitioner, he is only the legal heir of the said Karupaiah. However, the 4th and 5th respondents, fraudulently obtained legal heir certificate, without impleading the name of the petitioner and mutated all the revenue records in their names. In this regard, the petitioner made a representation on 12.06.2024 before the respondents. Since no action was taken by the respondents, the petitioner has filed this Writ Petition.

5. Considering the limited relief sought for in this Writ Petition, without going into the merits of the case, this Court directs the respondents 2 and 3 to consider the representation of the petitioner dated 12.06.2024, after hearing the respondents 4 and 5 and pass orders on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

05.08.2024

NCC : Yes/No
Index : Yes/No

vsm

3/4



WEB COPY



W.P.(MD)No.18798 of 2024

N.SATHISH KUMAR, J.

vsm

To

- 1.The District Collector,
Collectorate, Pudukkottai and District.
- 2.The Revenue Divisional Officer,
Illuppur Taluk, Pudukkottai District.
- 3.The Tahsildar, Taluk Office,
Viralmalai Taluk, Pudukkottai District.

W.P.(MD)No.18798 of 2024

05.08.2024