



W.P.(MD) No.6348 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.6348 of 2017

and

W.M.P.(MD) No.5008 of 2017

1.M.Lakshmanan

2.M.Kalancheyam

3.M.Saroja

4.M.Dharman

5.M.Rajeswari

.. Petitioners

Vs.

1.The Revenue Divisional Officer/
Divisional Executive Magistrate,
Ramanathapuram,
Ramanathapuram District.

2.The Tahsildar,
Ramanathapuram,
Ramanathapuram District.

3.Muthu Nachiyar @ Nachiyar

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India,
praying for issuance of Writ of Certiorarified Mandamus, to call for the



W.P.(MD) No.6348 of 2017

records relating impugned memo dated 24.11.2014 bearing No.O.Mu.A2/20731/2014 passed by the second respondent and quash the same as illegal and consequently direct the second respondent to conduct an enquiry and issue legal heirs certificate in favour of the petitioners and third respondent for their deceased father *viz.* Muthuramalinga Thevar.

For Petitioners : Mr.R.Subburaj
For R1 & R2 : Mr.R.Suresh Kumar
Additional Government Pleader
For R3 : Mr.H.Velavadhas

ORDER

The issue in this writ petition is no longer *res integra* and had been dealt with by a Full Bench of this Court in ***P.Venkatachalam and Others Vs The Tahsildar, Kumarapalayam Taluk and Others*** reported in ***(2022) 4 CTC 1***, pursuant to which the Government has also issued G.O. (Ms) No.478, Revenue and Disaster Management, Revenue Administration Wing, RA-3(2) Section, dated 29.09.2022, which was further amended by G.O.(Ms) No.110, Revenue and Disaster Management, Revenue Administration Wing, RA-3(2) Section, dated 13.03.2023.



W.P.(MD) No.6348 of 2017

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2. In such view of the matter, the impugned order is set aside and the petitioners are at liberty to approach the revenue authorities by making fresh application for grant of legal heirship certificate and the same shall be considered by the revenue authorities in accordance with G.O.(Ms) No.478, dated 29.09.2022, as amended by G.O.(Ms) No.110, dated 13.03.2023.

3. With the aforesaid liberty, this Writ Petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

13.11.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
abr

To

- 1.The Revenue Divisional Officer/
Divisional Executive Magistrate,
Ramanathapuram, Ramanathapuram District.
- 2.The Tahsildar,
Ramanathapuram, Ramanathapuram District.



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W.P.(MD) No.6348 of 2017

K.KUMARESH BABU, J.

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