



W.P.(MD) No.9115 of 2017

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.9115 of 2017

and

W.M.P.(MD) No.6941 of 2017

V.P.Murugesan

.. Petitioner

Vs.

1.The District Collector,
Karur District,
Karur.

2.The District Revenue Officer,
Karur District,
Karur.

3.The Revenue Divisional Officer,
Karur District,
Karur.

4.The Tahsildar,
Karur Taluk,
Karur District.

5.Sathivel

6.Mookkavannan @ Pitchamuthu

.. Respondents



W.P.(MD) No.9115 of 2017

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to direct respondents 1 to 3 forbearing the 4th respondent from conducting enquiry with regard to the forged legal heir certificate of the 6th respondent by considering the petitioner's representations dated 17.04.2017 and 20.04.2017 within the period that may be stipulated by this Court.

For Petitioner : Ms.M.Soundarya
for Mr.M.Natarajan

For R1 to R4 : Mr.R.Suresh Kumar
Additional Government Pleader

ORDER

The prayer in the writ petition is for a mandamus to direct respondents 1 to 3 to further direct the fourth respondent from conducting any enquiry into the allegations of the forged legal heir certificate of the sixth respondent by considering the petitioner's representations dated 17.04.2017 and 20.04.2017.

2. When the authority is enjoined with a statutory duty to issue a legal heir certificate based upon an application, this Court by issuance of



W.P.(MD) No.9115 of 2017

a negative mandamus cannot restrain the authority from functioning its statutory duty. It is the case of the petitioner that the respondents have initiated an enquiry for issuance of legal heir certificate based upon the application of the sixth respondent.

3. It is made clear that if the application has not been disposed of yet, the petitioner's claim can also be considered. Had the legal heir certificate been issued already, it is open to the petitioner to challenge the same in the manner known to law.

4. With the above observations, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

06.12.2024

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

abr



WEB COPY



W.P.(MD) No.9115 of 2017

K.KUMARESH BABU, J.

abr

To

- 1.The District Collector,
Karur District, Karur.
- 2.The District Revenue Officer,
Karur District, Karur.
- 3.The Revenue Divisional Officer,
Karur District, Karur.
- 4.The Tahsildar,
Karur Taluk, Karur District.

W.P.(MD) No.9115 of 2017

Dated: 06.12.2024