



W.P.(MD) No.14015 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.14015 of 2017

and

W.M.P.(MD) No.10953 of 2017

K.Nambiah

.. Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Office of the Taluk Office,
Karaikudi, Sivagangai District.

3.The Sub Registrar,
Joint 2 Sub Registrar Office,
Karaikudi, Sivagangai.

4.Gothiyammal

5.Manikandan

6.Chitradevi

7.Sundaravalli

8.A.L.Palaniappan

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the proceedings issued by the first respondent in his proceedings in Na.Ka.No.A2 6716-2015, dated 15.04.2016 and quash the same as illegal and arbitrary and consequently direct the respondents to cancel the legal heir ship certificate issued in favour of the respondents 4 to 7.

For Petitioner : Mr.N.Murugesan
For R1 to R3 : Mr.J.K.Jeyaseelan
Additional Government Pleader

ORDER

The challenge to the order in the writ petition is an internal communication from the Sub-Collector, Devakottai, to the District Collector, Sivagangai.

2. It has been brought to the notice of this Court that pursuant to the said internal communication, the first respondent by order dated 23.08.2018 in டி.கா.பி5-18207-2015 had rejected the representation of the petitioner with a direction to approach the civil Court seeking remedy.



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3. The learned counsel appearing for the petitioner would also submit that liberty may be granted to the petitioner to approach the civil Court.

4. Considering the fact that during the pendency of the writ petition, an order has been passed and therefore, by invoking the provisions of Section 14 of the Limitation Act, the period of pendency of this writ petition shall be excluded while calculating the period of limitation, when the petitioner approaches the civil Court.

5. With the aforesaid liberty, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

15.11.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr



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Karaikudi, Sivagangai District.
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K.KUMARESH BABU, J.

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