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W.P.No.5351 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No. 5351 of 2021
and
WMP.No. 5937 & 5939 of 2021

Basheer

..Petitioner

Vs.

1.The Sub-Collector / Revenue Divisional Officer,
O/o. Sub-Collector / Revenue Divisional Office,
Chidambaram, Cuddalore District.

2.The Tahsildar,
Taluk Office,
Kattumannarkovil,
Cuddalore District.

3.Fairoza Begum

4.Shehanaz Begum

5.Faisal

6.Nuzrath Begum

7.Jasmin

8.Sajini

9.Shabana Begum

..Respondents



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WEB PRAYER: Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of Writ of Certiorarified Mandamus, challenging the legal heir certificate issued by the 2nd respondent vide Certificate No.Pa.Mu.No(A-1)/2010 dated 26.07.2010 and consequently directing the 1st respondent to issue a fresh legal heir certificate of his deceased father namely, Abdul Salam by including the names of the petitioner and his brother Barakath Ali along with the respondents 3 to 9.

For Petitioner : Mr.G.Pugazhenth

For Respondents : Mr.T.M.Rajaraman

Government Advocate for R1 & R2

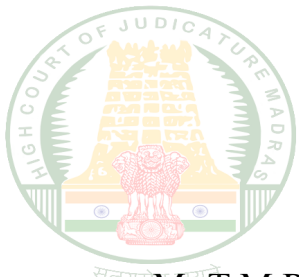
R4, R6 to R9 – No Appearance

R5 – Not ready in notice

ORDER

This Writ Petition is filed challenging the legal heir certificate issued by the 2nd respondent dated 26.07.2010 and for a direction to the 1st respondent to issue a fresh legal heir certificate of his deceased father namely, Abdul Salam by including the names of the petitioner and his brother Barakath Ali along with the respondents 3 to 9.

2. Heard Mr.G.Pugazhenth, learned counsel appearing for the petitioner and

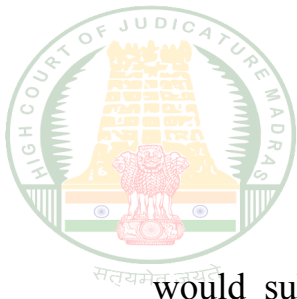


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Mr.T.M.Rajaraman, learned Government Advocate appearing for the respondents 1 & 2.

3. The learned counsel appearing for the petitioner would submit that the petitioner and his brother, Barakath Ali born out of the 1st marriage of his father, Abdul Salam with Bibijohn. After death of the petitioner's mother / Bibijohn, the petitioner's father has got married with one Fairoza Begum / 3rd respondent. Out of the 2nd marriage, six children were born. The petitioner's father / Abdul Salam died in 2009. Thereafter, the 3rd respondent / 2nd wife of petitioner's father has applied for legal heir certificate along with her children without mentioning the name of the petitioner and his brother. However, the 2nd respondent also issued a legal heir certificate dated 26.07.2010 as the respondents 3 to 9 alone are the legal heir of the deceased Abdul Salam, excluding the name of the petitioner and his brother and without proper enquiry. Though, the petitioner sent a petition on 14.02.2020 to the 2nd respondent requesting to cancel the legal heir certificate issued and for a direction to issue fresh legal heir certificate including the names of the petitioner and his brother, no action has been taken till date. Hence, this petition is filed.

4. The learned Government Advocate appearing for the respondents 1 & 2



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would submit that the petitioner sent by the petitioner will be considered and appropriate orders would be passed.

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5. Considering the above submissions, this Court directs the 2nd respondent to consider the request of the petitioner and pass orders on merits and in accordance with law, after providing reasonable opportunity to the private respondents within a period of three months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

09.09.2025

Speaking (or) Non Speaking Order
Neutral Citation: Yes/No

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To

1.The Sub-Collector / Revenue Divisional Officer,
O/o. Sub-Collector / Revenue Divisional Office,
Chidambaram, Cuddalore District.

2.The Tahsildar,

4/6



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Taluk Office,
Kattumannarkovil,
Cuddalore District.

M.DHANDAPANI, J.

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