



WEB COPY

WP No. 10320 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-07-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 10320 of 2022

1. S.Mohan Raj
S/o.Late Subramani

Petitioner(s)

Vs

1. The District Collector
Erode District, Erode.

2.The Sub-collector
Erode District,
P.S.Park Road,
Erode.

3.The Tahsildar
Kangeyam Taluk, Kangeyam,
Tiruppur District.

4.TMT.Valliyammal
W/o.Late Duraisamy

5.APPUKUTTY
S/o.Late Duraisamy

6.Tmt.Kannammal,
D/o.Late Duraisamy

Respondent(s)



PRAYER

Directing the respondents 1 and 2 to consider the representation of the petitioner dated 11.02.2022 to cancel the death certificate dated 06.06.2011 and legal heir ship certificate dated 15.09.2011 issued in the name of deceased Duraisamy @ Ammasi Gounder.

For Petitioner(s): Mr.Raja Velayutham
for Mr.S.Doraiswamy

For Respondent(s): Mr.R.Neelakandan
Additional Advocate General
asst by
Mr.R.Murthi
Government Advocate for R1-3
Mr.K.Goviganesan for R4-6

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the first and second respondents to deal with the representation made by the petitioner on 11.02.2022, wherein the petitioner has sought for the cancellation of the death certificate dated 06.06.2011 and legal heir certificate dated 15.09.2011 issued in the name of the deceased Duraisamy @ Ammasi Gounder.

2. Heard Mr.Raja Velayutham for Mr.S.Doraiswamy, learned counsel for the petitioner and Mr.R.Neelakandan, learned Additional Advocate General assisted by Mr.R.Murthi, learned Government Advocate for the 1st to 3rd respondent and Mr.K.Goviganesan for the 4th to 6th respondents.



3. The main grievance that has been expressed by the learned counsel for the petitioner is that the name of the deceased was only "Duraismy", whereas the private respondents have managed to get the death certificate and legal heirship certificate by mentioning the name as "Duraismy @ Ammasi Gounder", thereby, attempting to grab the properties of the petitioners. Hence, the petitioners made a representation in this regard to cancel the death certificate and legal heirship certificate. Since the same was not acted upon, the present petition came to be filed.

4. Taking into consideration the facts and circumstances of the case and the materials placed on record before this Court, there shall be a direction to the petitioners to submit a fresh application before the third respondent along with all the relevant documents. On receipt of the same, the third respondent shall act upon the application and conduct an enquiry by issuing notice to all the interested parties and take a decision within a period of six weeks from the date of receipt of the fresh application filed by the petitioner. Accordingly, this writ petition is disposed of in the above terms. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

21-07-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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N.ANAND VENKATESH J.

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