



WEB COPY



W.A.No.2068 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2025

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN
W.A.No.2068 of 2025

D. Arun
Plot No. 45, 14th Street,
J.B.Estate, Avadi, Chennai-54

...Petitioner

Versus

1. The Tahsilder
Avadi Taluk Office, Avadi,
Chennai-54.

2. D.Nagarajan,
Plot No.26, Anumepalli village,
Rajeswari Layout, Zuzuvadi,
Hosur 635 126.

.... Respondents

Prayer: Writ Appeal is filed under Clause 15 of the Letters of Patent, praying to set aside the order of the learned single Judge, dated 05.02.2025 in W.P.No.31950 of 2024.

For Petitioner(s): Mr.D.Arun (Party-in-person)

For Respondent(s): Mr. Vadivel Deenadayalan, AGP

JUDGMENT



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(By J.Nisha Banu,J.)

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This Writ Appeal has been directed against the order, dated 05.02.2025 passed by the learned single Judge passed in W.P.No.31950 of 2024.

2. According to the appellant, the 2nd respondent herein fell in love with a different caste girl and married her and left the parents in the year 1995 and thereafter, he did not take care of his parents and even did not turn up for years together and hence, he seeks removal of the name of the 2nd respondent from the legal heirship certificate. The learned single Judge has rightly dismissed the Writ Petition as the relief sought for by the appellant cannot be granted.

3. We do not find any infirmity in the order of the learned single Judge, dismissing the Writ Petition. It is well settled law that disputed questions of fact cannot be adjudicated in writ proceedings. The petitioner has to establish the fact that the 2nd respondent had abandoned the parents and his whereabouts were not known for the last more than seven years, in



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the manner known to law and thereafter, he can work out his remedy for removal of the name of the 2nd respondent from the legal heirship certificate.

4. The Writ Appeal is dismissed as devoid of merits. No costs.

(J.N.B.J.,) (M.J.R,J.,)
09.07.2025

Index: Yes / No
Internet: Yes / No
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To

The Tahsilder
Avadi Taluk Office, Avadi,
Chennai-54.



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