



WEB COPY

WP No. 19936 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-06-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 19936 of 2025

1. P.Periyammal
D/o.Perumal Padaiyatchi,
W/o.Veerassamy, No.203/107C,
Vadaku Kaadu, Gopalapuram Post,
Pethanaicken Palayam Taluk,
Salem District.

Petitioner(s)

Vs

1. The District Collector,
Office Of Collectorate, Salem District.

2.The Revenue Divisional Officer,
Office Of the RDO, Attur Town And
Taluk, Salem District.

3.The Tahsildar,
Office of The Tahsildar,
Pethanaicken Palayam Taluk,
Salem District.

4.Lakshmi,
Gopalapuram Post,



Pethanaicken Palayam Taluk,
Salem District.

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Respondent(s)

PRAYER

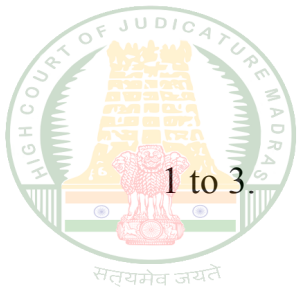
Writ petition filed under Article 226 of Constitution of India for the issuance of writ of Mandamus directing the respondent authorities to remove the name of the 4th respondent in the legal heir certificate dated 22.09.2016 in Pa. Mu.No.585/ 2016/ A2 by disposing of the petitioner's representation dated 19.03.2025.

For Petitioner(s): Mrs.V.Ranjitha
 for Mr.A.Rajakumar
For Respondent: M/s.R.Neelakandan
 Additional Advocate General
 Assisted by Mr.T.N.Rajangam,
 Government Advocate for R1 to
 R3.

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents 1 to 3 to deal with the representation made by the petitioner on 19.03.2015 wherein the petitioner has sought for removal of the name of the 4th respondent in the legal heir ship certificate dated 22.09.2016 issued by the 3rd respondent.

2. Heard Mrs.V.Ranjitha, for Mr.A.Rajkumar, learned counsel for the petitioner and M/s.R.Neelakandan, learned Additional Advocate General Assisted by Mr.T.M.Rajangam, learned Government Advocate, for respondents



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3. The petitioner has alleged that the 4th respondent had played a fraud and managed to add her name in the legal heir ship certificate. It is contended that one Papammal is the legally wedded wife of late Perumal Padaiyatchi and whereas, the 4th respondent claimed herself to be the second wife. Without any proper enquiry and without considering whether the so called second marriage was valid, the 3rd respondent had issued the legal heir ship certificate in the year 2016 by including the name of the 4th respondent, her daughter and the petitioner. The petitioner came to know about the same only recently and hence, made a representation dated 19.03.2025. Since the same was not considered, the present writ petition has been filed before this Court.

4. In the considered view of this Court, where it is alleged that the legal heir ship certificate has been obtained by playing fraud or by misrepresentation, the original authority has the power to deal with the same and take a decision. Hence, there shall be a direction to the 3rd respondent to deal with the representation made by the petitioner on 19.03.2025 after affording opportunity to the 4th respondent and a decision shall be taken on its own merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.



5. This writ petition is disposed of with the above directions. No costs.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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