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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 28947 of 2025

Erusappan

Petitioner(s)

Vs

1. The District Collector
Salem.

2. The Revenue Divisional Officer
Mettur Taluk, Salem District.

3. The Tahsildar
Omalur Taluk, Salem District.

4. Seethalakshmi

5. Arivuselvan

6. Thangamani

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd and 3rd respondents to



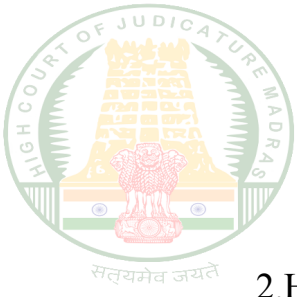
cancel the legal heir certificate in certificate No. TN 720231118755 dated 03.12.2023 consequently and issue fresh certificate including all legal heirs of deceased Mariayee @ Mariammal and direct the 2nd and 3rd respondents to take appropriate steps to penalize the respondents 4 to 6 for their illegal act of concealing one legal heir of Mariayee @ mariammal and obtaining legal heir certificate.

For Petitioner(s): Mr.T.Ganesan

For Respondent(s): Mr.R.Neelangandan
Additional Advocate General
assisted by
Mr.R.Murthi
Government Advocate
for R1 to R3

ORDER

This writ petition has been filed for issue of writ of mandamus directing the 2nd and 3rd respondents to cancel the legal heir ship certificate dated 03.12.2023 and to issue a fresh certificate by including all the legal heirs of the deceased Mariayee @ Mariammal and also direct the 2nd and 3rd respondents to take appropriate steps to penalize respondents 4 to 6 for concealing the name of one of the legal heir in the legal heirship certificate.



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2. Heard Mr.T.Ganesan, learned counsel appearing on behalf of the petitioner, Mr.E.Vijay Anand and Mr.R.Neelagandan, learned Additional Advocate General appearing on behalf of respondents 1 to 3.

3. In the considered view of this Court, the petitioner is a complete stranger to the family of Mariayee @ Mariammal and he wants the legal heirship certificate to be issued by including the names of one of the left out legal heir based on some civil proceedings which is pending before the Court below. The petitioner has no *locus standi* to question the legal heirship certificate and whatever grounds are raised by the petitioner in the present writ petition can always be raised in the pending suit which will be dealt with by the Civil Court on its own merits and in accordance with law. Such application submitted by third parties can never be entertained by the concerned authority, since determination of relationship can be done only by acting upon the application submitted by the relative and not by a stranger.



4. This Court does not find any merits in this writ petition and

accordingly, this writ petition stands dismissed. No Costs.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To
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Omalur Taluk, Salem District.



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N.ANAND VENKATESH J.

SSR

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