



W.P.No.28862 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.28862 of 2023
and W.M.P.No.47531 of 2025**

G.Rajasulochana

... Petitioner

Vs.

- 1.The District Revenue Officer,
Cuddalore District,
Cuddalore.
 - 2.The Revenue Divisional Officer,
Cuddalore District,
Cuddalore.
 - 3.The Tahsildar,
Panruti Taluk,
Cuddalore District.
- ...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the entire records with respect of order passed by the first respondent/District Revenue Officer, Cuddalore in Na.Ka.No.G2/1026545/2023 dated 01.09.2023 and quash the same and subsequently, direct the first respondent



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to consider the appeal filed by the petitioner and pass order on merits.

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For Petitioner : Mr.D.Rajagopal

For Respondents : Mrs.S.Anitha
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the order passed by the first respondent dated 01.09.2023 in Na.Ka.No.G2/1026545/2023 and for a consequential direction to the first respondent to consider the appeal filed by the petitioner and pass order on merits.

2. The learned counsel appearing for the petitioner submits that one Gopalakrishna Naidu is the father of the petitioner and he died and thereafter, the petitioner applied for legal Heir Certificate before the Tahsildar, Panruti, Cuddalore District, in the year 2006 and the Tahsildar, after due verification, issued a Legal Heir Certificate on 20.02.2007. While so, one Balaji had lodged a petition before the second respondent to delete the name of Komorappa Sankaraiah Naidu's grand son Gopalakrishna Naidu. On



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18.02.2013, the second respondent, without conducting detailed enquiry, passed an order by canceling the Legal Heir Certificate issued by the Tahsildar, Panruti, dated 20.02.2007 which was issued by inserting the name of Komorappa Sankaraiah Naidu's grand son Gopalakrishna Naidu. Thereafter, the petitioner preferred appeal before the first respondent against the order passed by the second respondent and it was dismissed vide impugned order dated 01.09.2023 by the first respondent. Challenging the same, the present writ petition has been filed. He would further submit that without providing any opportunity to the petitioner, the second respondent cancelled the Legal Heir Certificate issued by the Tahsildar, Panruti and hence, it is clear violation of principles of natural justice.

3. Per contra, the learned Special Government Pleader appearing for the respondents filed a counter affidavit stating that on the complaint received from one Balaji, raising objections against the Legal Heir Certificate dated 20.02.2007 issued in favour of the writ petitioner, the said Certificate was cancelled and thereafter, enquiry was conducted in the year 2012 and statements were recorded. On enquiry, it was found that the name of the



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petitioner's grand father allegedly stated by name, Pattabi Naidu, was no way related to Komarappasankaraiya Naidu as relied upon while applying for the Legal Heirship Certificate and hence, the Legal Heir Certificate issued in favour of the petitioner was cancelled. The learned Special Government Pleader states that the cancellation made by the second respondent is justifiable. Thereby, the appeal filed by the petitioner was rightly rejected by the first respondent.

4. Considering the facts and circumstances of the case and the counter affidavit filed on behalf of the respondents, this Court is of the view that there are disputed facts involved in the issuance of Legal Heir Certificate which cannot be resolved by this Court under Article 226 of the Constitution of India. Therefore, this Writ Petition is dismissed with liberty to the petitioner to approach the competent Civil Court for establishing her right to receive the Legal Heir Certificate. There shall be no order as to costs. Connected miscellaneous petition is closed.



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NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb

To

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M.DHANDAPANI, J.

ssb

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