



W.P.No.33513 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.33513 of 2025

Venkatesan Krishnan

... Petitioner

Vs.

1.The District Collector,
Collector Office Road,
Moovendar Nagar, Villupuram District – 605 602.

2.The Revenue Divisional Office,
Moovendar Nagar,
Villupuram District – 605 602.

3.The Thasildar Office,
National Highway,
Kandachipuram Thaluk,
Villupuram District – 605 701.

4.K.Arulprakash

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records of the proceedings in pursuant the 3rd respondent in proceedings Na.Pa.Mu.Aa4/1993/2024 dated 02.06.2025 and quash the same as illegal and consequently direct the respondent 1 to 3 to take appropriate action as against the 4th respondent forthwith.



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For Petitioner : Mr.P.Rajendrakumar

For Respondents : Mr.R.Neelakandan
Additional Advocate General
Assisted by Mr.S.Jayachandran
Government Advocate [R1 to R3]
Notice dispensed with [R4]

ORDER

Aggrieved by the order passed by the 3rd respondent, dated 02.06.2025, whereby the 3rd respondent had directed the petitioner and his step brother and sisters to sort out the differences before the Civil Court, the present writ petition is filed.

2. Since no adverse order has been passed against the 4th respondent, notice to the 4th respondent is dispensed with.

3. Mr.R.Neelankandan, learned Additional Advocate General, assisted by Mr.S.Jayachandran, learned Government Advocate, accepts notice on behalf of the respondents 1 to 3. In view of the consent expressed by the parties, this writ petition is taken up for final disposal at the stage of admission itself.



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4. The petitioner is the half-brother of the 4th respondent and the mother of the petitioner and the 4th respondent is one and the same. The petitioner is born to the 4th respondent's father's younger brother. It is the case of the petitioner that the property left behind by his parents belonging absolutely to him and he applied for legal heir certificate. His original legal heir certificate was favourably considered and an order was passed on 22.11.2024 by the then Tahsildar. Subsequently, according to the petitioner, the 4th respondent created a bogus document claiming himself to be the legal heir of the deceased parents of the petitioner. In that regard, the petitioner filed a petition before the 3rd respondent praying not to issue a legal heir certificate to any other person other than the petitioner. The 3rd respondent conducted detailed enquiry by calling the petitioner and the 4th respondent and thereafter, passed an elaborate order advising the parties to workout their remedy before the competent Civil Court. The said order is challenged in this writ petition.

5. Heard the learned counsel appearing for the parties and also perused the materials available on record.



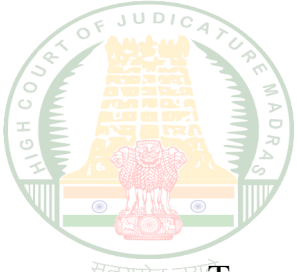
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6. This Court is of the view that the order passed by the 3rd respondent deserves no interference or no modification. Merely based on affidavit evidence, the legal heirship cannot be decided. The issue involves elaborate oral and documentary evidence, which can be decided only by the competent Civil Court.

7. Therefore, the Writ Petition is dismissed. However, liberty is granted to the petitioner to approach the competent Civil Court for appropriate remedy. No costs.

08.09.2025

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes/No
sp



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