



WEB COPY

WP No. 36791 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-07-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 36791 of 2024

THIRUNAVUKARASU

Petitioner(s)

Vs

1. The District Collector
Tiruvarur District, Tiruvarur.

2.The District Revenue Officer,
Tiruvarur District, Tiruvarur.

3.Revenue Divisional Officer,
Mannargudi
Tiruvarur District.

4.Tahsildar,
Thiruthooraiipoondi
Tiruvarur District.

5.Murugappan

Respondent(s)



PRAYER

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Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 4th respondent to comply with the directions issued by the 2nd respondent in his proceedings in Mu.Mu.18191/ 2023/U-2 dated 24/07/2023 to hold a fresh enquiry for issuance of a fresh legal heir certificate for the deceased, Govindasamy Thevar.

For Petitioner(s): A.Muthukumar
P.Srividhya

For Respondent(s): Mr.R.Neelakandan,
Additional Advocate General
Assisted by
Mr.S.J.Mohammed Sathik,
Government Advocate
For R1 to R4

R5 – No appearance

ORDER

This Writ Petition has been filed for issue of a writ of Mandamus directing the 4th respondent to conduct an enquiry and to pass orders on the issuance of fresh legal heirship certificate for the deceased Govindasamy Thevar.



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2. Heard Mr.A.Muthukumar, learned counsel for the petitioner and Mr.R.Neelakandan, learned Additional Advocate General for the respondents 1 to 4. The name of the 5th respondent has been printed in the cause list and there is no representation either in person or through counsel.

3. The case of the petitioner is that his biological father was one Vadivel Thevar. Mr.Govindasamy Thevar had no issues and hence he adopted the petitioner as his son. Govindasamy Thevar died leaving behind the petitioner and his adoptive mother. This fact has been admitted by the said Govindasamy Thevar even in the Will that was executed on 18.11.1992. The petitioner applied for legal heirship certificate before the 4th respondent and the legal heirship certificate was issued on 05.11.1998 by showing the names of the petitioner and his adoptive mother as the legal heirs.

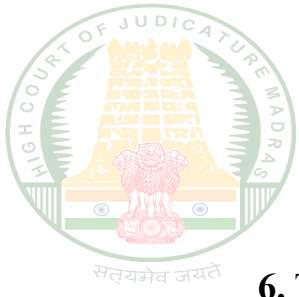
4. The 5th respondent seems to have submitted an appeal before the 3rd respondent seeking for cancellation of the legal heirship certificate. The said



appeal was dismissed merely on the ground that it has been filed after nearly 24 years after the legal heirship certificate was issued. Aggrieved by the same, the

5th respondent filed a revision before the 2nd respondent and the 2nd respondent through proceedings dated 24.07.2023 set aside the order passed in the appeal and remanded the matter back to the file of the Tahsildar. The grievance of the petitioner is that there was no progress in the proceedings before the Tahsildar and it is under these circumstances the present Writ Petition came to be filed before this Court.

5. Taking into consideration the facts and circumstances of the case and considering the materials placed before this Court, there shall be a direction to the 4th respondent to conduct an enquiry and pass appropriate orders within a period of four (4) weeks from the date of receipt of a copy of this order, after affording opportunity to all the interested parties, if no order has been passed till date.



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6. The Writ Petition is disposed of with the above directions. No costs.

28-07-2025

dsa

Index : Yes/No

Speaking/Non-speaking order

Internet : Yes

Neutral Citation : Yes/No

To

1. The District Collector

Tiruvarur District, Tiruvarur.

2. Teh District Revenue Officer

Tiruvarur District, Tiruvarur.

3. Revenue Divisional Officer

Mannargudi, Tiruvarur District.

4. TAHSILDAR

Thiruthoorai poondi, Tiruvarur District.

5. Murugappan,

S/o. Vadivel Thevar, Main Road,

Amalur, Edaiyur Post,

Thiruthoorai poondi Taluk, Tiruvarur

District.



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N.ANAND VENKATESH J.

dsa

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