



WEB COPY

WP No. 37632 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-07-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 37632 of 2024

and

WMP No.40678 of 2024

S.Prema

Petitioner(s)

Vs

1.The District Collector
Chengalpattu District-603111.

2.The District Collector,
George Town, Chennai – 600 001.

3.The District Revenue Officer, (DR),
Collector Office,
Chengalpattu District – 603 111.

4.The District Revenue Officer, (DRO),
Collector Office, George Town,
Chennai – 600 001.

5.The Revenue Divisional Officer,
(RDO)
Tambaram, Chengalpattu District.



6.The Revenue Divisional Officer,
(RDO)

5-73, SH 112, Gandhi Nagar,
Anna Nagar West Extension,
Chennai – 600 040.

7.The Tahsildar,
Pallavaram Taluk Office,
Chengalpattu District.

8.The Tahsildar,
Mambalam Taluk Office,
Mambalam, Chennai – 600 083.

9.Radha

10.S.Pooja

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India, directing the 1st and 2nd respondents to transfer the appeal petition dated 29.7.2024 pending from the 6th respondent and revision petition dated 29.7.2024 pending from the 3rd respondent and appoint any one officer to decide the legal heir certificate of late K.R.Sampath who died on 16.5.2021 at No.40, Officers Lane, Pallavaram, chennai-600 043 and further directing the respondents not to utilize the legal heir certificate which was wrongly issued by the 8th respondent dated 19.9.2021 till disposal of legal heir issue of Late.K.R.Sampath.



WEB COPY

WP No. 37632 of 2024



For Petitioner(s): S.Ramajayam

For Respondent(s): Mr. R. Neelakandan, Addl.
Advocate General,
Assisted By
Mr. S. Bala Murugan,
Govt. Advocate for R1 To R8

M/s.K.M.Balaji, V. Keerthivasan
For R9 And R10

ORDER

This Writ Petition has been filed for issue of a Writ of Mandamus directing the 1st and 2nd respondents to transfer the appeal petition that is pending before the 6th respondent and the revision petition pending before the 3rd respondent and assign both these cases to a single officer to decide on the issue of legal heirship certificate of late K.R.Sampath who died on 16.05.2021.

2. Heard Mr.S.Ramajayam, learned counsel appearing for the petitioner, Mr.R.Neelakandan, learned Additional Advocate General appearing for the respondents 1 to 8 and Mr.K.M.Balaji, learned counsel appearing for the respondents 9 and 10.



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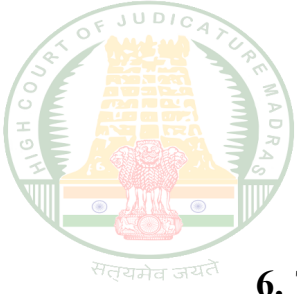
3. The case of the petitioner is that she is the wife of late K.R.Sampath and she married him in the year 1997. Through the wedlock they had a son Sachin. The petitioner's husband died on 16.05.2021. The petitioner's son performed the last rites. The death certificate was also issued by the jurisdictional Tahsildar, Pallavaram. While so, the 9th and 10th respondents got legal heirship certificates from the Tahsildar, Mambalam as if they are the legal heirs of the deceased K.R.Sampath. The petitioners also obtained legal heirship certificates from the Tahsildar, Pallavaram. Thereafter 9th and 10th respondents filed a petition before the Revenue Divisional Officer, Tambaram to cancel the legal heirship certificate. The Revenue Divisional Officer, Tambaram cancelled the legal heirship certificate. Aggrieved by the same, the petitioner filed revision petition before the District Revenue Officer, Chengalpattu. The petitioner also filed appeal before the Revenue Divisional Officer, Anna Nagar against the legal heirship certificate issued to the 9th and 10th respondents. Since these petitions are pending before different officers, the present Writ Petition has been filed to enable both the petitions to be heard by the same officer.



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4. When the matter was taken up for hearing, it was brought to the notice of this Court that the petitioner has filed O.S.No.471 of 2025 before the Principal District Judge, Chengalpattu. The petitioner has questioned the transaction that took place between the 9th and 10th respondents and also the legal heirship certificate that were issued in their favour. Hence, it is seen that the substantial dispute is now pending before the civil Court. Therefore, it will be made appropriate to direct the civil Court to deal with the issue.

5. In the light of the above development, it is made clear that the legal heirship certificate that was issued in favour of the 9th and 10th respondents or the cancellation of the legal heirship certificate that was issued by incorporating the name of the petitioner, will not be binding on the civil Court, which is dealing with the matter on its own merits and in accordance with law. It is left open to the petitioner and the 9th and 10th respondents to raise all the grounds before the civil Court where the case is pending. This observation will sufficiently take care of the grievance expressed by the petitioner and the 9th and 10th respondents.



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

Consequently, the connected miscellaneous petition is closed.

28-07-2025

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

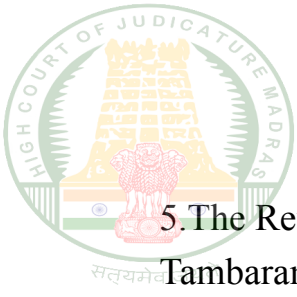
To

1. The District Collector
Chengalpattu District-603111

2. The District Collector
George Town, Chennai-600 001

3. The District Revenue Officer(dro)
Collector Office, Chengalpattu
District-603 111

4. The District Revenue Officer(dro)
Collector Office, George Town,
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5. The Revenue Divisional Officer(rdo)
Tambaram, Chengalpattu District

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6. The Revenue Divisional Officer(rdo)
5-73, Sh-112, Gandhi Nagar, Anna
Nagar West Extension, Chennai-600
040

7. The Teahsildar
Pallavaram Taluk Office, Chengalpattu
District

8. The Tahsildar
Mambalam Taluk Office, Mambalam,
Chennai-600 083

9. RADHA
Old Door No.32-a, New Door No.20-b,
Cavery Street, West Mambalam,
Chennai-600 033

10. S. Pooja
Old Door No.32-a, New Door No.20-b,
Cavery Street, West Mambalam,
Chennai-600 033



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N.ANAND VENKATESH J.

dsa

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