



W.P.No.4597 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 12.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.4597 of 2025

Annadurai

... Petitioner

Vs.

- 1.The District Collector
The District Collector Office
Erode District.
- 2.The District Revenue Officer
The District Revenue Office
Erode District.
- 3.The Revenue Divisional Officer
The Revenue Divisional Office
Taalwadi.
- 4.The Thasildhar
The Thahsildhar
Taalwadi
Erode District.
- 5.K.Nanthini

....Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 to 4 to consider the representation dated 03.12.2024 to cancel the forged legal heir certificate No.TN 720 24 05 02 11 55 dated 13.05.2024 issued by the fourth respondent.

For Petitioner : Mr.S.Senthil Kumar

For Respondents : Mr.R.Neelakandan
Assisted by
Dr.S.Suriya for R1 to R4
Additional Government Pleader

ORDER

This Writ Petition is filed for a Writ of Mandamus, directing the respondents 2 to 4 to consider the representation dated 03.12.2024, to cancel the legal heirship certificate bearing No.TN 720 24 05 02 11 55, dated 03.05.2024.

2. It is the case of the petitioner that the fifth respondent K.Nanthini is the daughter of one Kannan. The said Kannan is the brother of



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the petitioner's father Chinnadurai. The legal heirship certificate was already issued in respect of the said Kannan, in which, the name of the fifth respondent K.Nandini finds place. Therefore, when the petitioner's father died, she wrongly represented herself to be the daughter of the petitioner's father and her name was wrongly included in the legal heirship certificate and therefore, he has made the representation and thereafter has approach this Court.

3. When the matter came up for hearing, Mr.R.Neelakandan, the learned Additional Advocate General on written instructions submitted that the enquiry of the Tahsildar so far reveals that the father of the petitioner had two wives. The fifth respondent is born to the father of the petitioner Chinnadurai through his second wife. Therefore, her name is also included in the legal heirship certificate.

4. If that be the case, the petitioner can be relegated to the Civil Court, but however, it can be seen that the petitioner has produced the legal heirship certificate bearing No.7201905201139, dated 06.06.2019, in which,



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the name of K.Nanthini finds place in Sl.No.4 as the daughter of Kannan, S/o. Rangasamy. Therefore, this is a case for the respondents to conduct an enquiry.

5. In view of the nature of order that is passed, the Writ Petition is disposed of at the admission stage without notice to the fifth respondent. The Writ Petition is disposed of on the following terms;

(i) The fourth respondent shall consider the representation of the petitioner, dated 03.12.2024, by conducting an enquiry;

(ii) In the enquiry, the fourth respondent shall issue notice to the petitioner as well as the fifth respondent K.Nandini;

(iii) The petitioner shall produce all the documents in his support and the contentions of the fifth respondent is also kept open. After hearing both sides, the matter can be decided by the fourth respondent in the manner known to law.



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(iv) The above exercise shall be completed within a period of 12 weeks from the date of the receipt/production of the website uploaded copy of the order, without waiting for the certified copy of the order.

(iv) No costs.

12.02.2025

Neutral Citation : Yes/No
dna

To

- 1.The District Collector
The District Collector Office
Erode District.
- 2.The District Revenue Officer
The District Revenue Office
Erode District.
- 3.The Revenue Divisional Officer
The Revenue Divisional Office
Taalwadi.
- 4.The Thasildhar

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The Thahsildhar
Taalwadi
Erode District.

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D.BHARATHA CHAKRAVARTHY, J.

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