



WEB COPY

WP No. 41765 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

**WP No. 41765 of 2025
& WMP.No.46813 of 2025**

1. P.Palanikumar
S/o.N.P.Ponnusamy, Door No.20-A,
Mariamman Koil Street,
Nanjundapuram, Coimbatore - 641 036.

2.N.P.Karunamurthy,
S/o.Late Palaniappa Nadar,
Door No.80/66, Perumal Kovil Street,
Nanjundapuram, Coimbatore - 641 036.

Petitioner(s)

Vs

1.The Tahsildar,
South Taluk Office,
Coimbatore District.

2.S.Krishnamurthy, S/o.Sundaraj,
Door No.22, Mariamman Koil Street,
Nanjundapuram, Coimbatore South,
Coimbatore - 641 036.

3.Maharani,
W/o.Suresh, D/o.Sundaraj,
Door No.185, Sripathy Nagar 1st
Street, Nanjundapuram, Coimbatore
South, Coimbatore - 641 036.

4.Anandhi,
W/o.S.Krishnamurthy, Door No.22,
Mariamman Koil Street,
Nanjundapuram, Coimbatore South,
Coimbatore - 641 036.

Respondent(s)

**PRAYER**

This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation dated 29.08.2025 by directing the 1st respondent to cancel the legal heirship certificate issued by him vide proceedings dated 08/07/2002 in Pa.Mu.1123/A1/2002.

For Petitioner(s): Mr.C.R. Prasanan

For Respondent(s): Mr.M.Rajendiran,
Additional Government Pleader
for R1

ORDER

This writ petition is filed seeking for a direction to the 1st respondent to cancel the legal heirship certificate issued by him vide proceedings dated 08/07/2002 in Pa.Mu.1123/A1/2002 by considering the petitioner's representation dated 29.08.2025.

2.The case of the petitioner is that the first petitioner is the brother's son of one N.P.Padmanaban and the second petitioner is the brother of the said N.P.Padmanaban. Further that, N.P.Padmanaban died on 31.05.1982. Thereafter, one Lakshmi, claiming to be his wife, made an application before the first respondent in the year 1990 for issuance of legal heir certificate and the same was objected by the petitioners. In pursuance to which, the first respondent/Tahsildar Vide order dated 09.07.1990, directed the said Lakshmi to approach the competent civil Court for appropriate relief. However, in the year 2002, the then Tahsildar issued a legal heir certificate in favour of Lakshmi on



08.07.2002 contrary to the earlier rejection order. Thereafter, the said Lakshmi also passed away and the second respondent claiming to be legal heir of the said Lakshmi has presented two settlements deeds before the revenue officials for settling the property, which originally belonged to N.P.Padmanaban, in favour of the respondents 3 and 4, along with the legal heir certificate issued in favour of Lakshmi. On coming to know of the same, the petitioners made an application to the first respondent to cancel the legal heir certificate issued in the name of Lakshmi. However, no order has been passed by the first respondent on the representation of the petitioners till date. Hence, the present writ petition has been filed with the above said prayer.

3.The learned counsel for the petitioner submits that a direction be issued to the first respondent to consider the application of the petitioner dated 29.08.2025 seeking to cancel the legal heir certificate issued in favour of the said Lakshmi and to pass appropriate orders.

4.Per contra, the learned Additional Government Pleader appearing for the first respondent would submit that the legal heir certificate was issued in the year 2002, whereas, the application for cancellation of legal heir certificate has been filed in the year 2025. Further, there is no proper explanation for the delay in filing the application for cancellation of legal heir certificate and the application is also made only on the basis of the settlement deeds presented by



the private respondents. Hence, that issue has to be entertained only before the competent civil Court and not before the revenue authorities and accordingly, prays for dismissal of the writ petition.

5. Heard both sides and perused the materials available on record.

6. It is seen that the legal heir certificate was issued in the year 2002, whereas, the application for cancellation of legal heir certificate has been filed in the year 2025. Further, there is no proper explanation for the delay in filing the application for cancellation of legal heir certificate and the application is also made only on the basis of the settlement deeds presented by the private respondents. Therefore, the writ petition is dismissed, with liberty to the petitioners to approach the competent civil court for appropriate remedy. No costs. Consequently, the connected miscellaneous petition is closed.

05-11-2025

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

To
The Tahsildar,
South Taluk Office,
Coimbatore District.



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