



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-11-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 43099 of 2025

Divya T.K

Petitioner(s)

Vs

The Tahsildar
Revenue Department,
Mambaram Taluk Office,
Chennai District.

Respondent(s)

PRAYER; This writ petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondent to dispose Petitioner representation dated 06.10.2025 pending on the file of the respondent in accordance with law within stipulated period of time as expeditiously.

For Petitioner(s): M/s. J.N.Naresh Kumar
For Respondent: Mr.S.Anitha, SGP

ORDER

This petition has been filed seeking a direction to the respondent to dispose Petitioner representation dated 06.10.2025 seeking cancellation of wrongly issued legal heir certificate.

2. It is the case of the petitioner that the petitioner is the legally adopted



daughter of Late Dr.C.R.Shoba and the adoption was solemnised through Datta Homam on 14.04.2012 and the same was confirmed by a registered adoption deed No.148/2024 dated 16.08.2024 at the Sub-Registrar Office, Ashok Nagar.

The said adoption was recognised and upheld by this Court in WP. No.23050 of 2024 vide order dated 13.08.2024. Subsequently, the said Shoba executed a registered settlement deed dated 27.08.2024 in favour of the petitioner, settling her Ashok Nagar property absolutely in the petitioner's name and she passed away on 29.08.2025. After her demise, the petitioner came to know that a legal heir certificate was issued by the respondent in favour of certain third parties by suppressing the fact of the petitioner's legal adoption. Being aggrieved, the petitioner made a representation dated 06.10.2025 to the respondent requesting cancellation of wrongly issued legal heir certificate in respect of Late Shoba. However, the same is not considered. Hence, the present writ petition.

3. The learned counsel for the petitioner submitted that this Court may direct the respondents to consider and pass orders on the petitioners representation within the stipulated time as fixed by this Court.

4. The learned Special Government Pleader appearing for the respondent submitted that already the original son viz., Harish Sunantharaj filed a suit in OS.No.5415 of 2025 challenging the Will executed by his mother and adoption deed executed in favour of the petitioner . When the suit is pending, the



respondent have no power to pass orders on the petitioner's representation.

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5. In response, the learned counsel for the petitioner submitted that this Court may grant liberty to the petitioner to approach the competent Civil Court to canvas all the points before the Civil Court where the civil suit is pending.

6. Heard the learned counsel for both side and perused the materials available on record.

7. There is a dispute with regard to the right of the property between the petitioner and the third parties. The third party has filed a suit before the concerned Court and the same is pending. When the suit is pending with regard to the subject matter, the revenue officials have no power to cancel the legal heir certificate in favour of any person.

8. With the above observation, the writ petition is dismissed. No costs. However, liberty is granted to the petitioner to work out the remedy before the Civil Court where the suit is pending.

12-11-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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To

The Tahsildar
Revenue Department, Mambaram Taluk
Office, Chennai District.

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