



W.P.(MD).No.12730 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.12730 of 2025

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... Petitioner

-VS-

1. The District Revenue Officer,
Collectorate Campus,
Karur,
Karur District.

2. The Sub Collector / Revenue Divisional Officer,
Sub Collector / Revenue Divisional Officer,
Kulithalai,
Karur District.

3. The Thasildar,
Taluk Office,
Kulithalai,
Karur District.

4. Thangammal

5. Nagaraj

6. Ramasamy

7. Prabhakaran

8. Parvathy

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent to complete his enquiry proceedings of Na.Ka.A6/5270/2024 dated 03.02.2025 initiated on petitioner's representation dated 05.11.2024 in connection with fraudulently obtained Legal Heir Certificate as No. TN-7202408011298 dated 18.08.2024 from the 3rd respondent by the respondents 4 to 8 and others for petitioner's deceased father Chinnaiah Pandaram, cancel the same and consequently issue Legal Heir Certificate by including all the legal heir of him.

For Petitioner : Mr.R.Murugappan

For Respondents : Mr.C.Venkatesh Kumar (R1-R3)

Special Government Pleader

ORDER

This writ petition has been filed seeking a direction to the second respondent to complete his enquiry proceedings in Na.Ka.A6/5270/2024 dated 03.02.2025 initiated on the petitioner's representation dated 05.11.2024, in connection with the Legal Heir Certificate by the third respondent obtained by the respondents 4 to 8 and others fraudulently from the third respondent in TN-7202408011298 dated 18.08.2024 for the petitioner's deceased father, namely Chinnaiah Pandaram, cancel the same and consequently issue Legal Heir Certificate by including all his legal heirs.



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2. By consent of both parties, this writ petition is disposed at the stage of admission itself. Considering the nature of the order going to be passed in this writ petition, notice to the private respondents is dispensed with.

3. The case of the petitioner is that the private respondents herein fraudulently obtained legal heirship certificate for the petitioner's deceased father, namely, Chinnaiah Pandaram. Hence, for cancellation of the same, the petitioner made a representation to the respondents dated 05.11.2024 and the said enquiry is pending in this regard before the second respondent without any progress. Hence, the petitioner has filed the present Writ Petition.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.



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5. In the light of the above observations, there shall be a direction to the second respondent to consider the petitioner's representation dated 05.11.2024 and complete the enquiry on the petitioner's representation, and pass appropriate orders on merits and in accordance with law, after giving due opportunity to the petitioner and the private respondents, as well as all other persons, who may be necessary in the subject matter, within a period of six weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.

6. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs.

29.04.2025

NCC : Yes/No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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Order made in
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