



W.P(MD)No.15887 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.06.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)No.15887 of 2025

R.Kannan

... Petitioner

Vs.

1.The District Collector,
Sivagangai District.
Sivagangai.

2.The Revenue Divisional Officer,
Sivagangai District.
Sivagangai.

3.The Tahsildar,
Manamadurai Taluk Office
Manamadurai.
Sivagangai District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 2 and 3 herein to issue the legal Heir Certificate of Deceased petitioner's brother namely Ramasamy based on his representation dated 08.04.2025.



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For Petitioner

: Mr.G.Gomathisankar

For Respondents

: Mr.D.Ghandiraj
Special Government Pleader

ORDER

The petitioner has filed this writ petition to direct the respondents 2 and 3 to issue the legal heirship certificate of deceased petitioner's brother, namely, Ramasamy based on his representation, dated 08.04.2025.

2. The petitioner had correctly invoked the jurisdiction of civil Court by filing O.S.No.104 of 2019 before the District Munsif Court, Manamadurai. The suit was dismissed by the said Court by its judgment and decree dated 17.12.2024. Instead of filing an appeal against the said judgment, the petitioner has submitted a representation dated 08.04.2025, seeking for issuance of legal heirship certificate.

3. The learned counsel for the petitioner has placed a reliance on the decision of this Court rendered in the case of ***R.Janaki Vs The Tahsildar and others, reported in 2024 (5) CTC 99***, wherein reference was made to the



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decision of the Kerala High Court in the case of ***Bindu Vs The State of Kerala*** reported in 2022 AIR (Kerala) 52.

4. The petitioner has rightly invoked the jurisdiction of the civil Court having suffered a decree in the form of dismissal of the suit, cannot now prevaricate and ask for a legal heir certificate. It is open to the petitioner to have the said decree set aside by an appellate Court and thereafter, to approach the respondent authority to issue legal heir certificate in the light of the above decision of this Court.

5. The writ petition stands dismissed. There shall be no order as to costs.

13.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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C.SARAVANAN, J.

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