



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 30.06.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.[PD](MD)No.1791 of 2025

M.S.Subramaniyan

...Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by the District Collector,
District Collector Office,
Madurai.

2.The Tahsildar,
Madurai South Taluk,
Madurai District Collector Office Campus,
Madurai-625 020.

3.Premkumar

4.Vinothkumar

...Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the return docket order dated 21.04.2025 made in TNM DOA0003032025 (Filing Number.O.S/365/2025) on the file of the Principal District Munsif Court, Madurai Town and direct to number the same.

For Petitioner : Mr.K.Sudalaiyandi

For R-1 & R-2 : Mr.B.Saravanan,

Additional Government Pleader



ORDER

This Civil Revision Petition has been filed seeking orders to set aside the return docket order dated 21.04.2025 made in TNM DOA0003032025 (Filing Number: O.S/365/2025) on the file of the Principal District Munsif Court, Madurai Town, and to direct the Court to number the suit.

2. The learned counsel appearing for the petitioner would submit that the petitioner had filed a suit for declaration that he is the Class II legal heir of the deceased M.S. Chandran. However, the said suit was initially returned on 05.04.2025 for certain clarifications. After compliance with the said requirements, the petitioner re-presented the plaint along with the documents on 15.04.2025. On the second occasion, the plaint was again returned by the trial Court with an endorsement that, in view of G.O.(Ms).No.478, Revenue Department, dated 29.09.2022, the appropriate forum for seeking a legal heirship certificate is the Revenue Divisional Officer (RDO), and not the Civil Court. Challenging the said return order, the present Civil Revision Petition has been filed. The learned counsel further submits that this Court may permit the petitioner to approach the concerned RDO for appropriate relief.

3. Since no adverse orders are going to be passed against the respondents, notice to the respondents is dispensed with.



4. On perusal of the records and the endorsement made by the trial Court, it appears that the suit filed by the petitioner is in the nature of seeking a legal heirship declaration. In light of the Government Order in G.O.(Ms).No.478, Revenue Department, dated 29.09.2022, the Government has authorized the Revenue Authorities, particularly the Revenue Divisional Officer (RDO), to issue legal heirship certificates. In such circumstances, the trial Court has rightly returned the plaint, directing the petitioner to approach the appropriate authority. Hence, no interference is warranted by this Court in the return order passed by the trial Court.

5. In view of the above, this Civil Revision Petition stands dismissed. However, liberty is granted to the petitioner to approach the concerned Revenue Divisional Officer (RDO) for appropriate relief in accordance with law. No costs.

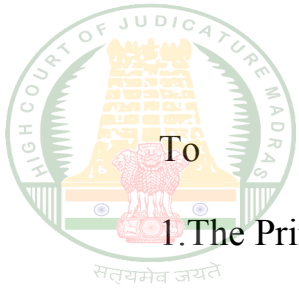
30.06.2025

Internet:Yes/No

Index:Yes/No

TSG

Note : Registry is directed to return the original document after retaining the copy of the same in the Court record.



To

1.The Principal District Munsif Court, Madurai Town.

2.The District Collector,
District Collector Office,
Madurai.

3.The Tahsildar,
Madurai South Taluk,
Madurai District Collector Office Campus,
Madurai-625 020.

4.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

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