



W.A(MD) No.2120 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 01.08.2025

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

W.A(MD) No.2120 of 2025

R.Kannan

... Appellant / Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

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

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

... Respondents / Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order passed by this Court in W.P.(MD)No. 15887 of 2025, dated 13.06.2025 and thereby allow this writ appeal.

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For Appellants : Mr.G.Gomathisankar

For Respondents : Mr.N.Ramesh Arumugam
Government Advocate

JUDGMENT

(Judgment of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The appellant filed W.P.(MD)No.15887 of 2025 for directing the revenue authorities to issue him legal heir certificate certifying that he is the class II legal heir of his brother Ramasamy. According to the appellant, his brother Ramasamy went abroad and has not been heard for the last 22 years. The learned single Judge was right in dismissing the writ petition vide order dated 13.06.2025 because the appellant herein had already invoked the jurisdiction of the Civil Court by filing O.S.No. 104 of 2019 on the file of the District Munsif Court, Manamadurai. The suit was dismissed on merits on 17.12.2024. When the Civil Court had ruled against the appellant, the revenue authority cannot give a contra certificate in his favour. The only remedy open to the appellant is to move the first appellate Court and get the suit itself withdrawn. Only in

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such event, the decree dated 17.12.2024 in O.S.No.104 of 2019 will be effaced. Thereafter, the appellant can move the revenue authorities once again by relying on the Judgment of this Court reported in **2024 (5) CTC 99 (R.Janaki Vs. Tahsildar)**.

3. The order of the learned single Judge is confirmed. With the aforesaid liberty, the writ appeal is dismissed. No costs.

(G.R.S., J.) (K.R.S., J.)
01.08.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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To

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Sivagangai District.
- 3.The Tahsildar,
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