



W.P.(MD) No. 20958 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No. 20958 of 2025

and

W.M.P.(MD) Nos.16227, 16228 & 16229 of 2025

1. D.Thirupathi,

2. D.Tamil Ganesan,

3. D.Sivakumar,

4. D.Muthuselvan.

... Petitioners

Vs.

1. The Revenue Divisional Officer,
Madurai.

2. The Thasildhar,
Madurai North Taluk,
Madurai.

3. Murugan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records in respect of the impugned order in reference Mu.Mu.No.8870/2018/F, dated 14.12.2021



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passed by the first respondent and quash the same as illegal and consequently, direct the first respondent to restore the legal heirs certificate issued by the Thasildhar in his proceedings under reference Pa.Nu.No.9679/2016/C2, dated 02.08.2016.

For petitioner : Mr. S.Sukumar

For respondents : Mr.D.Ghandiraj
Special Government Pleader for R1 & R2

ORDER

This Writ Petition is disposed of at the time of admission with the consent of the learned counsel for the petitioner and learned Special Government Pleader for the respondents and after dispensing with the notice on the third respondent as no adverse orders are proposed to be passed against the third respondent.

2. There is a dispute as to whether the petitioners are the sons of one Late.Dhakshina Moorthy, who died on 04.07.2016. The petitioners had earlier obtained a Legal Heir Certificate on 02.08.2016, which was sought to be appealed by the third respondent along with his siblings K.Anandhi and Thavamani. They have instituted a suit before the District Munsif Court, Madurai in O.S.No.189 of



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2022.

3. The impugned order, recording the submission of the third respondent and his siblings, namely, K.Anandhi and Thavamani, has revoked the Legal Heir Certificate, dated 02.08.2016 issued in the name of the petitioners' herein.

4. Since the petitioners are also contesting in the said proceedings, the cancellation of the Legal Heir Certificate granted on 02.08.2025 *vide* impugned order cannot be interfered with at this stage.

5. Considering the fact that the suit is pending before the District Munsif Court, Madurai in O.S.No.189 of 2022 at the behest of the third respondent alongwith K.Anandhi and Thavamani, it is for the petitioners to defend themselves in the said proceedings and thereafter, seek for revival of the Legal Heir Certificate, which stood cancelled *vide* impugned order.



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6. It is open for the petitioners to move an appropriate application before the Civil Court insofar as the properties, which stood in the name of Late.Dhakshina Moorthy, who, according to the petitioners, is the father of the petitioners, is concerned.

7. This Writ Petition is disposed of, with the above observations. W.M.P. (MD) No.16227 of 2025 is allowed. Consequently, connected miscellaneous petitions are closed. No costs.

Index : Yes / No
Internet : Yes / No
apd

01.08.2025

To

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Madurai.

2. The Thasildhar,
Madurai North Taluk,
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C.SARAVANAN, J.

apd

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