IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2026

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.50128 of 2025

Nizamdeen

... Petitioner

Vs.

1.The Revenue Divisional Officer,
RDO Office, Virudhachalam,
Cuddalore District - 606001

2.The Tasildhar
Taluk Office, Virudhachalam,
Cuddalore District.

3.Mohamed Ibrahim

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, calling for the records of the 1st Respondent in proceedings No.Na.Ka.A2/2388/2025 dated 19.11.2025 confirming the order passed by the 2nd Respondent in proceedings No.Na.Ka.AA4/1169/2025 dated 18.06.2025 quash the same and consequently direct the respondents 1 and 2 restore the Legal Heir Certificate already issued by the 2nd Respondent vide Certificate No.TN.720250111435 dated 27.01.2025 infavour of petitioner.

For Petitioner : Mr.S.N.Subramani

For Respondents : Mr.R.Neelakandam, AAG assisted by
Mr.Yogesh Kannadasan, SGP
for R.1 & R.2.

<u>O R D E R</u>

This writ petition has been filed for the following relief:-

"calling for the records of the 1st Respondent in proceedings No.Na.Ka.A2/2388/2025 dated 19.11.2025 confirming the order passed by the 2nd Respondent in proceedings No.Na.Ka.AA4/1169/2025 dated 18.06.2025 quash the same and consequently direct the respondents 1 and 2 restore the Legal Heir Certificate already issued by the 2nd Respondent vide Certificate No.TN.720250111435 dated 27.01.2025 infavour of petitioner."

2. The petitioner's contention is that his mother had died on 15.06.2023 leaving behind her surviving the petitioner as her only legal heir. Subsequently, the petitioner had applied for issue of a Legal Heir Certificate before the 2nd respondent and had obtained the same. It is the further contention of the petitioner that his siblings namely his brother and sister had pre-deceased their mother. Therefore, as per the Muslim Personal Law, the only person alive at the time of the deceased's death is entitled to inheritance and the grandchildren are not the legal heirs of the deceased. Therefore, the Legal Heir Certificate was issued to the petitioner.

3. While so, on the 3rd respondent's complaint, the 2nd respondent had cancelled the petitioner's Legal Heir Certificate on 18.06.2025 without intimation or affording an opportunity of hearing to the petitioner, that too, when the petitioner's suit OS.No.94/2025, on the file of the District Munsif Court seeking permanent injunction against the 3rd respondent is pending. Against the order passed by the 3rd respondent, the petitioner had preferred an appeal before the 1st respondent who by order dated 19.11.2025 had confirmed the order passed by the 3rd respondent. Challenging the same, the Writ Petition has been filed.

4. The learned Additional Advocate General appearing on behalf of the respondents 1 and 2 brought to the notice of this Court that the petitioner has an alternative remedy available in the form of a revision before the District Revenue Officer (DRO). He submitted that, pursuant to the orders of this Court in a batch of writ petitions in W.P. No. 25247 of 2021 and connected cases, the Government issued G.O. Ms. No. 478, dated 29.09.2022, prescribing guidelines and procedures for the issuance of Legal Heir Certificates. In the annexure to the said Government Order, under Guideline No. 7(2), it is clearly stated that a Revision against the orders of the Revenue Divisional Officer (RDO) would lie before the District Revenue Officer. The petitioner, without exhausting the said alternative remedy, has rushed to this Court. Therefore, he sought dismissal of the writ petition.

5. Heard the learned counsel on either side.

6. Guideline No. 7(2) in the Annexure to G.O. Ms. No. 478, dated 29.09.2022, reads as follows:-

'7(2). Revision :-

The power of revision over the orders passed by the Revenue Divisional Officer lies with the District Revenue Officer and Revision *petition shall be filed within a period of 1(one) year from the date of passing of the order in appeal"*

7. A perusal of the above-referred guideline would clearly show that against the orders passed by the Revenue Divisional Officer, namely, the 1st respondent herein, an alternative remedy is available to the petitioner in the form of a Revision before the District Revenue Officer. However, without exhausting the said alternative remedy, the petitioner has rushed to this Court by way of a writ petition.

8. Therefore, considering the fact that the petitioner has an effective alternative remedy available in the form of a Revision before the District Revenue Officer, the writ petition is dismissed, granting liberty to the petitioner to approach the District Revenue Officer in accordance with law. No costs.

02.01.2026

(shr)
Index : Yes/No
Speaking Order: Yes/No
Neutral Citation : Yes/No

To

l.The Revenue Divisional Officer,
RDO Office, Virudhachalam,
Cuddalore District - 606001

2.The Tasildhar
Taluk Office, Virudhachalam,
Cuddalore District.

P.T. ASHA. J.,

(shr)

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