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W.P.No.32113 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2026

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.32113 of 2026
and W.M.P.No.35321 of 2026

Sampath Parthasarathy

.. Petitioner

Versus

The Tahsildar,
Mambalam Tahsildar Office,
Mambalam,
Chennai – 600 078.

.. Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, calling for records relating to the impugned order passed by the respondent vide Application No.TN 7201902011821, dated 07.02.2019 and quash the same and consequently direct the respondent to issue Legal Heir Certificate that the petitioner i.e., Sampth Parthasarathy and his sister Padmini Bharath Iyengar are legal heirs of their deceased mother Vasantha Parathasarathy on merits within the time lime fixed by this Court.

For Petitioner : Mr.L.Mouli

For Respondent : Mrs.Inthu Karunakaran,
Special Government Pleader



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ORDER

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This Writ Petition challenges the impugned order, dated nil which is the online remarks uploaded by the respondent with reference to the application of the petitioner dated 01.02.2019.

2. By the said remarks, the application made by the petitioner for issue of legal heirship certificate was denied on the ground that deceased died in the other state and the legal heirs cannot be traced out.

3. I have heard the learned Counsel for the petitioner and the learned Special Government Pleader for the respondent.

4. This case presents peculiar and strange facts. The father of the petitioner was living in Bangalore and he died on 08.07.1985. Thereafter, it is the case of the petitioner that the petitioner's mother used to live with him and when the petitioner was, for a brief while, staying at Hyderabad on account of his avocation, at that point of time, his mother also lived with him in Hyderabad where she died on 16.10.1996 and the death was registered at Hyderabad. Immediately after the death, the petitioner was shifted from Hyderabad to Tamil Nadu and thereafter, he is



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working and residing only in Chennai. Under the said circumstances, when the application is made, the authority is finding that the death happened in other state and there is no proof that the deceased was normally living within their jurisdiction and being unable to find out the other legal heirs, they rejected the application.

5. No exception can be taken for the view of the respondent authority. However, in view of the strange factual circumstances, this Court has to come to the rescue of the petitioner as it can be seen that the petitioner and his mother have jointly purchased the property at Coimbatore and the petitioner is now in need of legal heirship certificate in order to claim title with reference to the said property. The petitioner is making categorical environment that he, along with his sister *Padmini Bharath Iyengar*, alone are the surviving legal heirs of their mother.

6. In view thereof, this Writ Petition is allowed on the following terms:-

(i) The impugned rejection remarks, made with reference to the application of the petitioner, dated 01.02.2019, shall stand set aside and the matter is remanded back to the file of the respondent.



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(ii) The petitioner shall file the credentials in the form of available documents with the respondent along with an affidavit from himself as well as from his sister stating that they two are the legal heirs of the deceased person. The affidavit shall also contain indemnity clause that the petitioner alone will be responsible for any error in the information relating to the legal heirs.

(iii) Considering the fact that the petitioner can no longer avail legal heirship certificate from the authorities at Hyderabad, the first respondent shall consider issuing of legal heirship certificate without reference to the territorial jurisdiction.

(iv) Upon being satisfied that the two persons are the legal heirs, issue a legal heirship certificate to the petitioner.

(v) There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

13.08.2026

Neutral Citation : no
grs

To

The Tahsildar,
Mambalam Tahsildar Office,
Mambalam,
Chennai – 600 078.

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D.BHARATHA CHAKRAVARTHY, J.

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