

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2019

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 16376 of 2019

Ambigai Siddhartha Buch

... Petitioner

-vs-

The Tahsildar,  
Velachery,  
Chennai 600 042.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Tahsildar, Velachery, the Respondent herein to receive the application seeking legal heir certificate of Petitioner's deceased sister Dr. N. Uma Nataraja, who died on 30.03.2019, conduct an enquiry and issue legal heir certificate for Petitioner's deceased sister Dr. N. Uma Nataraja, who died on 30.03.2019, by showing Mrs. Ambigai Siddhartha Buch as the only Class II legal heir of deceased sister Dr. N. Uma Nataraja.

For Petitioner : Mr. Hari Krishnan B.

For Respondent : Mr. R. Venkatesh,  
Government Advocate

O R D E R

After the filing of this Writ Petition, the Respondent has issued certificate dated 14.08.2019 in which relationship of the deceased Dr. N. Uma Nataraja who is the sister of the Petitioner, viz., Ambigai Siddhartha Buch, has been mentioned.

2. According to the Learned Counsel appearing for the Petitioner, he had applied for legal heirship certificate, but the same has been issued as relationship certificate which may not be accepted by the concerned authorities.

3. In this regard, the Learned Government Advocate points out that now a circular No. 09/2019 dated 24.09.2019 has been issued by the Commissionerate of Revenue Administration and Disaster Management, Chepauk, Chennai 600 005, in which it has been stated that in case of unmarried children it is only the parents, who are alive, could be issued Legal Heirship Certificate and Legal Heirship Certificate is not issued to the siblings, who are Class II heirs.

4. In view of the aforesaid submissions made, it would suffice to record here that a finding of fact has been made in the aforesaid relationship certificate dated 14.08.2019 that the Petitioner is the sister of the deceased Dr. N. Uma Nataraja, and that it would be open to the Petitioner to produce the said certificate in support of that claim before the concerned authorities whenever required. No further orders are necessary in the Writ Petition.

5. The Writ Petition stands disposed with the aforesaid observations. No costs.

Sd/-  
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

gsa  
To

The Tahsildar,  
Velachery,  
Chennai 600 042.

+1cc to Mr.B.Hari krishnan , Advocate SR.No. 82701  
+1 cc to Government Pleader Sr.No. 83187

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A.SK(14/10/2019)