

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.02.2020

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.NO.30848 OF 2019

1. Tmt.D.Sayelakshmi
2. Tmt.R.Yasodha
3. Tmt.G.Meera
4. Tmt.K.Suguna
5. Gowvarthanan

.. Petitioners

..Vs..

The Thasildar  
Alandur, Chennai - 600016.

... Respondent

PRAYER :

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to issue legal heir certificate including the petitioners name as per the application dated 05.07.2017.

For Petitioner : Mr.N.Suresh

For Respondents : Mr.R.Govindasamy  
Special Government Prosecutor

O R D E R

The petitioners seek a Mandamus directing the respondent, namely, the Thasildar, Alandur, Chennai, to give legal heir certificate by including name of the petitioners in accordance with the application 05.07.2017.

2. It is stated that the brother's son of the petitioners' mother, Sekaran @ Sekar was unmarried and the petitioners, were looking after him. The petitioners had also provided him food, shelter and also all medical expenses. He had orally bequeathed his property at Door No.214, Ramar Kovil Street, Nandambakkam, Chennai - 600 089 in favour of the petitioners. The petitioners are in possession of the said property. Sekaran @ Sekar died on 22.02.2017. The petitioners sought legal heirship certificate.

3. However, the respondent had stated that they could not issue the same. The petitioners gave an application dated 05.07.2017.

4. Heard Mr. R.Govindasamy, learned Special Government Prosecutor appearing for the respondent. It is stated that the petitioners are entitled for the relationship certificate.

5. Heard the learned counsel for the petitioners also.

6. The deceased Sekaran @ Sekar is the petitioners' mother's brother's son. Naturally he does not come within the Class-I or Class -II heirs of the petitioners. Further it is a fact that the petitioners are relations of Sekaran @Sekar. Therefore, they are entitled for a relationship certificate.

7. In view of the same, the relief sought in the Writ Petition is modified and the respondent is directed to issue relationship certificate to the petitioners after making due enquiries and at any rate pass orders on or before 05.03.2020.

8. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

vsg

To

The Thasildar  
Alandur, Chennai - 600016.

+3ccs to Mr.N.Suresh, Advocate, S.R.No.12979

W.P.No.30848 of 2019

AD(CO)  
CS/19/02/2020

WEB COPY