



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2021

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.30402 of 2015
and
M.P.Nos.1 & 2 of 2015

1.V.Rajesh
2.V.Karthik

...Petitioners

Vs

The Tahsildar,
Alandur Taluk Office,
1st Main Road,
Nanganallur,
Chennai - 61.

...Respondent

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, calling for the records of the respondent in O.Mu.6568/2011/A6 dated 10.01.2012 and quash the impugned order issued by the respondent dated 10.01.2012 and consequential relief directing the respondent to issue legal heir certificate in favour of the petitioner.

For Petitioners : Mr.T.Ramachandran

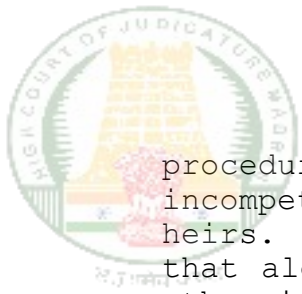
For Respondent : Mr.K.M.D.Muhilan
Government Advocate

O R D E R

The order dated 10.01.2012, rejecting the application submitted by the petitioner for grant of legal heir Certificate is under challenge in the present writ petition.

2. The reasons stated in the order impugned is that the petitioners are not the direct legal heirs of the deceased. Thus, the authorities competent rejected the application by stating that they have to submit a Succession certificate for the purpose of issuing legal heir certificate.

3. This Court is of the considered opinion that the legal heir certificate is to be issued strictly in accordance with the



procedures as contemplated. The Revenue authorities are incompetent to adjudicate the disputes in the matter of legal heirs. Only, if the direct legal heirs submit an application, that alone may be considered and in the event of any dispute or otherwise or if the applications are made by the legal heirs, who all are not having direct relationship, then they are bound to approach the competent Court of law for the purpose of getting Succession certificate.

4. This being the principles to be followed, there is no infirmity as such in respect of the order impugned passed and the petitioner is at liberty to approach the competent Court for the purpose of getting Succession certificate in the manner known to law.

5. With these observations, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

The Tahsildar,
Alandur Taluk Office,
1st Main Road,
Nanganallur, Chennai - 61.

+1 cc to the Government Pleader, Sr.56658

W.P.No.30402 of 2015

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