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W.P.No.21542 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2023

CORAM

**MR.JUSTICE N.SESHASAYEE**

W.P.No.21542 of 2023

Kalai selvi

... Petitioner

Vs.

1.The State Rep. by  
The Revenue Divisional Officer  
RDO office  
Thiruvhengodu

2.The Tashildar  
Paramathivelur  
Namakkal District

... Respondents

**Prayer:** The writ petition filed under Article 226 of the Constitution of India, for issuance of a writ of Mandamus, directing the 1st respondent to consider an online application in relating to Legal Heir Certificate dated 03.11.2022.

For Petitioner : Mr.P.Raja

For Respondents : Mr.M.Bindran  
Addl. Govt. Pleader for R1 & R2

**ORDER**

By consent, this writ petition is taken up for final disposal at the admission



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2.The petitioner has applied for a legal heir certificate of her mother Banumathy and the Tahsildhar, the 2nd respondent has rejected the same.

Challenging which the petitioner has preferred an appeal to R.D.O, the 1st respondent herein, who also vide his impugned proceedings dated 06.07.2023 has rejected it, since the petitioner's case does not fall within the ambit of G.O.(Ms).No.478, Revenue & Disaster Management, Revenue Administration Wing RA-3(2) Section dated 29.09.2022.

3.Mr.M.Bindran, the learned Additional Government Pleader has taken notice for the respondents 1 and 2 and submitted that the petitioner has an avenue for Revision before the D.R.O.

4.Without getting into the merit of G.O.(Ms).No.478, Revenue & Disaster Management, Revenue Administration Wing RA-3(2) Section dated 29.09.2022, at the end of the day, petitioner seeks a legal heir certificate of her mother, which falls well within the ambit of the said G.O. The petitioner's application was rejected by the 2nd respondent, Tahsildhar essentially because she did not give the mother's name of her mother. This Court is at a loss to understand how the name of the maternal grand mother of the petitioner is relevant for giving legal heir certificate. What if in a given case a certain

<https://www.mhcojga.gov.in> petitioner does not know who her grand parents are but know who her parents



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are?. Strange are the ways in which things sometime happen, this appears to be one such case.

5.This Court accordingly sets aside the order of the R.D.O, and remand the matter back to the 2nd respondent. The 2nd respondent would now give an opportunity to the petitioner to provide such materials if they are so desirous, but at the end of the day, the 2nd respondent is only required to ascertain whether the petitioner is the daughter of the deceased Banumathi and no more. The entire exercise is required to be completed within a period of four (4) weeks from the date of receipt of an online copy or the date on which the order is hosted in the official website, whichever is earlier.

6.This writ petition stands disposed of accordingly. No costs.

21.07.2023

kas

Index : Yes / No

Neutral citation : yes/no



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N.SESHASAYEE, J.

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