



W.A.No.1213 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.04.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.A.No.1213 of 2024

K.V.Indira

.. Appellant

Vs

1.The District Collector,
M.Singaravelar Maligai,
Rajaji Salai, George Town,
Chennai-600 001.

2.The Tahsildar,
Mambalaam Taluk,
K.K.Nagar,
Chennai-600 078.

3.The Principal Secretary,
Revenue and Disaster Management,
Fort St. George,
Chennai-600 009.

.. Respondents

Prayer: Appeal under Clause 15 of the Letters Patent against the order dated 22.12.2023 passed by the learned Single Judge in W.P.No.25534 of 2023.



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For the Appellant : Mr.S.Sathia Chandran
For the Respondents : Mr.A.Edwin Prabakar
State Government Pleader
assisted by
Mr.K.Karthik Jegannath
Government Advocate

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

Heard Mr.S.Sathia Chandran, learned counsel for the appellant; and, Mr.A.Edwin Prabakar, learned State Government Pleader, assisted by Mr.K.Karthik Jegannath, learned Government Advocate for respondents.

2. The present appellant had filed a writ petition, bearing W.P.No.25334 of 2023, seeking directions to issue legal heirship certificate. The learned Single Judge directed the Tahsildar to issue relationship certificate and if the legal heirship certificate was required for the purpose of acquiring the estate of her sister by way of succession, the appellant was directed to approach the civil court.



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3. Learned counsel for the appellant submits that the said judgment of the learned Single Judge is contrary to his earlier judgment dated 10.7.2023 in W.P.No.20189 of 2023. It is submitted that the Tahsildar has got the right to grant legal heirship certificate and the same has also been decided by a Full Bench of this Court in the case of *P.Venkatachalam and Others Vs The Tahsildar, Kumarapalayam Taluk and others, (2022) 4 CTC 1*.

4. Certainly, the Tahsildar cannot issue a legal heirship certificate to the appellant for succeeding to the estate of the deceased sister. The appellant is also not a Class-I legal heir. An amendment has also been carried out in the government order and it is only the relationship certificate that is issued by the Tahsildar.

5. Be that as it may, considering the facts and circumstances of the case, we do not find any error committed by the learned Single Judge.



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6. The writ appeal, as such, is dismissed. There shall be no order as to costs.

(S.V.G., CJ.)

(J.S.N.P., J.)

18.04.2024

Index : Yes/No
Neutral Citation : Yes/No
sasi

To

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THE HON'BLE CHIEF JUSTICE
AND
J.SATHYA NARAYANA PRASAD,J.

(sasi)

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