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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 2525 of 2023

Salsa Elumalai

Petitioner(s)

Vs

1. The District Collector
Chengalpet District, Chengalpet.

2. The Revenue Divisional Officer
O/o. Revenue Divisional Office,
Tambaram, Chennai.

3. The Tahsildar
Tambaram Taluk, Chennai

4. Palani

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, Calling for the records of the 2nd respondent herein in pursuant to the impugned order dated 15.12.2021 in Na.Ka. No. 2757 / 2021 /E1 and quash the same and consequently direct the 3rd respondent to issue a fresh legal certificate by including the petitioner's name.



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For Petitioner(s): Mr.T.Nixon

For Respondent(s): Mr.R.Murthi
Government Advocate
for R1 to R3
Mr.M.L.Ramesh for R4

ORDER

This writ petition has been filed challenging the impugned proceedings of the 2nd respondent dated 15.12.2021 and for a consequential direction to the 3rd respondent to issue a fresh legal heir ship certificate by including the name of the petitioner and others.

2.Heard Mr.T.Nixon, learned counsel appearing on behalf of the petitioner, Mr.R.Murthi, learned Government Advocate appearing on behalf of respondents 1 to 3 and Mr.M.L.Ramesh, learned counsel appearing on behalf of the 4th respondent.

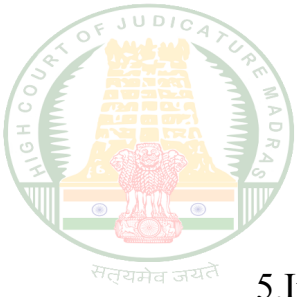
3.The case of the petitioner is that one Varadappa Naickar died leaving behind six female children apart from the 4th respondent who is the son. The grievance of the petitioner is that the 4th respondent managed to get a legal heir



ship certificate exclusively in his name and leaving out all the other sisters.

Hence, a representation was made in this regard to the 2nd respondent to issue a fresh legal heir ship certificate. The 2nd respondent through the impugned proceedings dated 15.12.2021, rejected the application and directed the petitioner to approach the Civil Court. Aggrieved by the same, the present writ petition has been filed before this Court.

4.It is not in dispute that the persons who are now seeking to include their names in the legal heir ship certificate are none other than the elder sisters of the 4th respondent. Therefore, when the legal heir ship certificate is given, the names of all the daughters and the name of the 4th respondent must be included. The mere issuance of a legal heir ship certificate does not entitle the parties to claim for any right over properties. The legal heir ship certificate is more in the nature of a relationship certificate and it merely indicates the relationship of the parties to the deceased. Hence, the claim made by the petitioner and others is justifiable and their names must also be added in the legal heir ship certificate, since they are the daughters of the deceased Varadappa Naickar.



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5. In the light of the above discussion, the impugned proceedings of the 2nd respondent dated 15.12.2021, is hereby quashed. If the 4th respondent is in possession of the legal heir ship certificate granted in his name, the same shall be surrendered before the 3rd respondent. There shall be a direction to the 3rd respondent to issue fresh legal heir ship certificate by including the names of the daughters and the son (4th respondent) in the legal heir ship certificate and the fresh legal heir ship certificate shall be issued, within a period of four weeks from the date of receipt of copy of this order.

6. In the result, this writ petition stands allowed with the above directions.

No Costs.

25-06-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

SSR



To
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N.ANAND VENKATESH J.

SSR

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