



W.P.No.10801 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 28.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.10801 of 2025

REKA

... Petitioner

Vs

THE TAHSILDAR
VELACHERY TALUK OFFICE,
VELACHERY, CHENNAI.

... Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, to call for the record pertaining the impugned order for rejection of the legal heirship certificate vide Ref. No. TN- 7202412271692 dated 27.12.2024 issued by the respondent and quash the same. Consequently direct the respondent to issue the legal heir ship certificate to the petitioner.

For Petitioner : Mr.K.Rajesh Kannan

For Respondent : Mr.R.Neelakandan
Additional Advocate General VIII,
assisted by Mr.S.Balamurugan
Government Advocate



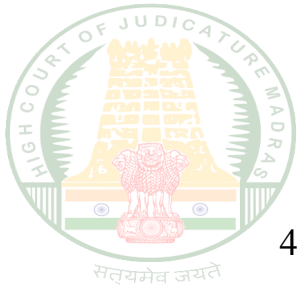
W.P.No.10801 of 2025

ORDER

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2. Upon hearing the learned counsel for the petitioner and learned the Additional Advocate General for the respondents and perusing the affidavit and material records of the writ petition, the grievance of the petitioner seems to be that the petitioner's father, *Sadayan*, died on 20.04.2024. He left behind four Class-I legal heirs, his wife, *Chinnapapa* and two daughters, *Kala* and *R.Reka* (the petitioner herein) and one son, *Saravanan*. This apart, the father and mother of *Saddayan*, *Velayudham* and *Nagammal*, are also alive. Upon making the application, an enquiry was conducted.

3. It is stated that the wife of *Sadayan* namely *Chinnapapa*, and his son, *Saravanan*, did not cooperate with the enquiry halfway through and objected to the inclusion of other persons' names. It is further stated on behalf of the respondent that the petitioner, who resides in another state, did not appear for the enquiry. Therefore, due to the lack of particulars, the legal heirship certificate could not be issued.



W.P.No.10801 of 2025

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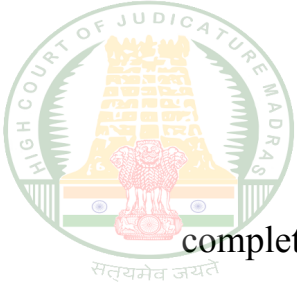
4. Now, before this Court, the particulars are complete and the the names of the legal heirs are furnished. The petitioner, though residing in another state, is now willing to appear before the respondent for the enquiry. On the mere objections of some legal heirs, the legal heirship application itself cannot be dismissed. It has to be proceeded to its logical course by granting the legal heirship certificate, by mentioning the names of the persons who are in the particular relationship as provided by the Government Order.

5. In view thereof, this writ petition is allowed on the following terms:-

(i) The impugned order dated 27.12.2024 is set aside. The matter is remanded back to the respondent. The respondent shall conduct an enquiry again on the same application.

(ii) The petitioner shall appear before the respondent on 16.04.2025 or on any date, as intimated by the respondent. The petitioner may appear either in person or if necessary, virtually. If necessary for verification, the petitioner can travel and be present before the respondent.

(iii) The respondent shall also issue notice to the other legal heirs and



W.P.No.10801 of 2025

complete the enquiry and issue the legal heirship certificate.

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(iv) The above exercise shall be completed within twelve weeks therefrom. The parties shall act upon the web copy of the order without waiting for the certified copy of the order. No costs.

28.03.2025

Neutral Citation: Yes/No
nsl

To
THE TAHSILDAR
VELACHERY TALUK OFFICE,
VELACHERY, CHENNAI.



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W.P.No.10801 of 2025

D.BHARATHA CHAKRAVARTHY, J.

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W.P.No.10801 of 2025

28.03.2025