



W.P.No.5756 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 19.02.2025

CORAM:

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

W.P.No.5756 of 2025

AZEEZ HAFEEZ SHAHID

... Petitioner

Vs

THE TAHSILDAR,
TALUK OFFICE BUILDNG,
TIRUVALLUR HIGH ROAD,
GANDHI NAGAR,
AMBATTUR, CHENNAI- 600 053.

... Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondent to issue Legal Heirship Certificate of late Azeez A as per the particulars provided by the petitioner.

For Petitioner : Mr.E. Hariharan

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



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ORDER

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The writ petition has been filed with a prayer directing the respondent to issue a Legal Heirship Certificate for the late Azeez A, as per the particulars provided by the petitioner.

2. The petitioner is facing an issue of interstate jurisdiction on account of the state of affairs. Both the petitioner and the other legal heirs of the petitioner's father, late A. Azeez, reside within the State of Maharashtra. However, the petitioner's father was ordinarily residing in Tirumullaivoyil, within the jurisdiction of the respondent Tahsildar, until his death. The petitioner's father had his business in Chennai and therefore, was ordinarily residing in a rented premises within the jurisdiction of the respondent. Just before his death, he fell ill and since there was no one else to care of him, the petitioner and other relatives took him to Maharashtra, where, after undergoing protracted treatment, he passed away. Accordingly, the death is recorded in the State of Maharashtra and the death certificate has been duly issued. As far as the rules governing the issuance of a Legal Heirship



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Certificate are concerned, it is not the place of death that matters, but rather the place where the deceased was ordinarily residing. Therefore, the petitioner is approaching the respondent.

3. The learned Additional Advocate General appearing on behalf of the respondent placed the annexure to G.O.(Ms).478, Revenue & Disaster Management, Revenue Administration Wing, RA-3(2), Section dated 29.09.2022. Relying on Guideline No.1, the learned Additional Advocate General for the respondent submits that it is true that the Tahsildar of Ambattur can consider the application, provided that the deceased had ordinarily resided in the jurisdiction for at least six months before the date of death. The petitioner should make an application online through the concerned portal by uploading all the relevant documents as specified in the said guidelines

4. In view thereof, this writ petition is disposal of on the following terms:-

(i) Upon perusal of the documents produced, including the Aadhaar card and the averments made, I am



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of the view that the petitioner's father, Late A. Azeez, ordinarily resided within the jurisdiction of the first respondent for at least six months before his death.

(ii) It is seen that the petitioner has already made an application through the online portal, with application number TN-7202501211327. Therefore, the petitioner shall appear in person before the respondent, along with a copy of this order and all relevant documents.

(iii) The respondent shall further process the said online application and pass orders in accordance with the law. This process shall be completed within six weeks from the date of receipt of the web copy of the order, without waiting for the certified copy of the order.

(iv) No costs.

19.02.2025

Neutral Citation: Yes/No
nsl



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D.BHARATHA CHAKRAVARTHY, J.

nsI

To

THE TAHSILDAR,
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