



W.P.No.6617 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 26.02.2025

CORAM:

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

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RATHA

... Petitioner

Vs

1. THE REVENUE TAHSILDAR,
REVENUE TAHSILDAR OFFICE,
KUMARAPALAYAM,
NAMAKKAL.
2. THE REVENUE DIVISIONAL OFFICER,
REVENUE DIVISIONAL OFFICE,
TIRUCHENGODE,
NAMAKKAL.
3. THE VILLAGE ADMINISTRATIVE OFFICER,
VEPPADAI VILLAGE ADMINISTRATIVE OFFICE,
VEPPADAI, KUMARAPALAYAM TALUK,
NAMAKKAL.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the first respondent to issue a revised Legal Heir Certificate in the names of petitioner's minor daughter Lithanashri and the petitioner as the rightful legal heirs of the deceased Lakshmi based on the petitioner's representation dated 04.02.2025.



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For Petitioner : Mr.R.Rajaramani

For R1 to R3 : Mr.R.Neelakandan
Additional Advocate General
assisted by Mr.S.Balamurugan
Government Advocate

ORDER

This writ petition is filed for a writ of mandamus, directing the first respondent to issue a revised Legal Heir Certificate in the names of petitioner's minor daughter Lithanashri and the petitioner as the rightful legal heirs of the deceased Lakshmi based on the petitioner's representation dated 04.02.2025.

2. A perusal of the representation of the petitioner, the affidavit filed in support of the writ petition and after hearing the learned counsel for the petitioner, the grievance of the petitioner seems to be that with reference to the legal heirship of the petitioner's mother in law as the legal heir of the pre-deceased son, both the petitioner and her daughter's names should also be included. However, the same was not included in the legal heirship certificate.

3. The learned Additional Advocate General would submit that even in



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the legal heirship certificate, the petitioner's husband's name is mentioned as the pre-deceased son. Therefore, the petitioner can correlate very much with reference to the said entry.

4. It can be seen that the petitioner has already approached the competent Civil Court by way of O.P.No.142 of 2023 and by a Judgement and Decree dated 10.01.2024, the Sub Court, Tiruchengode had issued a succession certificate in favour of the petitioner. Therefore, since the petitioner has got succession certificate in her favour, the same is the superior document, which will override the legal heirship certificate issued by the administrative authorities for all practical purposes.

5. When the petitioner is armed with the decree of the Civil Court by way of succession certificate, whenever a legal heirship certificate is insisted upon, the petitioner can very well produce the succession certificate and the authorities shall act on the succession certificate itself without insisting upon the production of the legal heirship certificate. The petitioner cannot have a grievance after the Court has granted a succession certificate in her favour.



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6. With the above directions, the writ petition stands disposed of. No costs.

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Neutral Citation: Yes/No
nsl

To

1. THE REVENUE TAHSILDAR,
REVENUE TAHSILDAR OFFICE,
KUMARAPALAYAM, NAMAKKAL.
2. THE REVENUE DIVISIONAL OFFICER,
REVENUE DIVISIONAL OFFICE,
TIRUCHENGODE, NAMAKKAL.
3. THE VILLAGE ADMINISTRATIVE OFFICER,
VEPPADAI VILLAGE ADMINISTRATIVE OFFICE,
VEPPADAI, KUMARAPALAYAM TALUK,
NAMAKKAL.

D.BHARATHA CHAKRAVARTHY, J.

nsl

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