



W.P.No.8782 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 14.03.2025

CORAM:

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

W.P.No.8782 of 2025

P.SHARMILA

... Petitioner

Vs

1. THE DISTRICT COLLECTOR,
CHENNAI DISTRICT COLLECTOR OFFICE,
GEORGE TOWN,
CHENNAI – 600 001.
2. THE REVENUE DIVISIONAL OFFICER,
REVENUE DIVISIONAL OFFICE,
CHENNAI CENTRAL,
CHENNAI.
3. THE TAHSILDAR,
MAMBALAM TALUK OFFICE,
K.K. NAGAR, CHENNAI – 600 078.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, seeking for direction to the respondents herein to consider petitioner's representation dated 02.02.2024 and direct the respondent to issue legal heir certificate declaring petitioner's daughter S. Dishitha Suresh as the legal heir of the deceased Grand - Mother Mrs. Senthamarai, who was died on 25.08.2023, within a time frame fixed by this Court.

For Petitioner

: Ms.P.Charushree



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For R1 to R3

: Mr.R.Neelakandan,
Additional Advocate General - VIII
assisted by Dr.S.Suriya
Additional Government Pleader

ORDER

This writ petition is filed for a mandamus directing the respondents to consider the petitioner's representation dated 02.02.2024 and to issue a legal heir certificate declaring the petitioner's daughter, S.Dishitha Suresh, as the legal heir of her deceased grandmother, Mrs. Senthamarai, who passed away on 25.08.2023.

2. The case of the petitioner is that when the husband of the petitioner is the pre-deceased son of the petitioner's mother in law, the petitioner's daughter S. Dishitha Suresh is also a Class I legal heir. Therefore, the legal heir certificate has to be issued by mentioning her name.

3. When the matter came up for admission, the learned Additional Advocate General VIII appearing on behalf of the respondents 1 to 3 would submit that the legal heir certificate is no longer just a representative document of the legal heirs, but only a legal relationship certificate pursuant to the Hon'ble Full Bench of this Court and the Government Orders passed in this



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regard. As far as the grievance of the petitioner is concerned, it can be addressed by mentioning the name of the pre-deceased son in the legal heirship certificate. Accordingly, the petitioner can claim any right for the property whatsoever in the manner known to law.

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

(i) The petitioner will be entitled to apply for the legal heirship certificate. If the petitioner has already applied online, the application can proceed with. If not, the petitioner will be informed about the procedure to apply afresh.

(ii) The said application can be taken up for consideration and accordingly, a legal heirship certificate issued by mentioning the petitioner's husband's name, namely Suresh as the pre-deceased son and the other persons as per the Government Order who come within the relationship as mentioned in the Government Order.

(iii) The said mentioning of the petitioner's husband in the legal heirship



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certificate by itself would be enough for the petitioner's daughter to claim any share in the property or to claim that she is also a legal heir.

(iii) Such an exercise shall be completed within a period of twelve weeks from the date of receipt of the web copy of the order without waiting for the certified copy of the order. No costs.

14.03.2025

Neutral Citation: Yes/No
nsl

To

1. THE DISTRICT COLLECTOR,
CHENNAI DISTRICT COLLECTOR OFFICE,
GEORGE TOWN,
CHENNAI – 600 001.
2. THE REVENUE DIVISIONAL OFFICER,
REVENUE DIVISIONAL OFFICE,
CHENNAI CENTRAL,
CHENNAI.
3. THE TAHSILDAR,
MAMBALAM TALUK OFFICE,
K.K. NAGAR, CHENNAI – 600 078.

D.BHARATHA CHAKRAVARTHY, J.



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