



WEB COPY

WP No. 13206 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 28-07-2025**

CORAM

**THE HONOURABLE MR JUSTICE N. ANAND VENKATESH**

**WP No. 13206 of 2025**

K.Rajendran

Petitioner(s)

Vs

1.The Tahsildar  
Mambalam Taluk Office, No.1,  
Bharathidasan Salai, Kk Nagar,  
Chennai-600 078.

2.E.Nagarathinam

3.T.Hemalatha

Respondent(s)

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1<sup>st</sup> respondent, The Tahsildar, Mambalam, Taluk Office, to consider the representation of the petitioner dated 13.02.2025 and direct respondent to issue the petitioner the Legal Heirship Certificate of Late S.Thillainayagam within a stipulated period as fixed by this Court considering the petitioners age within a stipulated time.



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For Petitioner(s): M/s. S.Soundary

For Respondent(s): Mr.R.Neelakandan,  
Additional Advocate General  
assisted by  
Mr.S.J.Mohammed Sathik,  
Government Advocate for R1

Mr.S.Kingston Jerold for R2

### **ORDER**

This Writ Petition has been filed for issue of a Writ of Mandamus directing the 1<sup>st</sup> respondent to consider the representation of the petitioner dated 13.02.2025, wherein the petitioner has sought for issuance of legal heirship certificate for Late S.Thillainayagam.

2. Heard Ms.S.Soundary, learned counsel appearing on behalf of the petitioner, Mr.R.Neelakandan, learned Additional Advocate General appearing on behalf of the 1<sup>st</sup> respondent and Mr.S.Kingston Jerold, learned counsel appearing for the 2<sup>nd</sup> respondent.

3. The case of the petitioner is that he has filed a suit in O.S.No.1920 of 2022 before the XVIII Additional City Civil Court, Chennai seeking for the



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relief of declaration, mandatory injunction and permanent injunction against one Thillainayagam and three others. The said Thillainayagam passed away on 27.10.2022. The 2<sup>nd</sup> and 3<sup>rd</sup> respondents/ defendants in the suit are his wife and daughter. The civil Court was insisting for production of legal heirship certificate of the 2<sup>nd</sup> and 3<sup>rd</sup> defendants and since the same was not produced, the suit was kept pending. It is under these circumstances, the petitioner submitted a representation before the 1<sup>st</sup> respondent seeking for issuance of a legal heirship certificate. Since the same was not considered, the present Writ Petition has been filed before this Court.

4. In the considered view of this Court, it is not the duty of the petitioner to get the legal heirship certificate for the deceased Thillainayagam. In the written instructions received from the 1<sup>st</sup> respondent, it is seen that such legal heirship certificate cannot be given based on the representation made by the petitioner, since the petitioner has no relationship with the said Thillainayagam. This stand taken by the 1<sup>st</sup> respondent cannot be faulted.



5. In view of the above, there shall be a direction to the XVIII Additional City Civil Judge, Chennai not to insist for any legal heirship certificate of the deceased and proceed further with the suit in accordance with law. This clarity will sufficiently take care of the grievance expressed by the petitioner.

6. This Writ Petition is disposed of with the above directions. No costs.

**28-07-2025**

dsa

Index :Yes/No

Speaking/Non-speaking order

Internet :Yes

Neutral Citation :Yes/No



To  
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1.The Tahsildar  
Mambalam Taluk Office, No.1,  
Bharathidasan Salai, Kk Nagar,  
Chennai-600 078.

2.E.Nagarathinam,  
W/o.S.Thillainayagam, No.5/3,  
Karunigar Street, Vadapalani,  
Chennai-600 026.

3.T.Hemalatha  
D/o.S.Thillainaygam, No.5/3,  
Karunigar Street, Vadapalani,  
Chennai-026



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**N.ANAND VENKATESH J.**

dsa

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