



W.P.No.10894 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 27.03.2025

CORAM:

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

W.P.No.10894 of 2025

1. S.LAKSMIDEVI
 2. B.BHAVANISANGARI
 3. I.MAANIKKAM
- ... Petitioners

Vs

1. THE DISTRICT COLLECTOR,
COLLECTOR OFFICE,
ERODE DISTRICT.
 2. THE REVENUE DIVISIONAL OFFICER,
RDO OFFICE, GOBICHETTIPALAYAM,
ERODE DISTRICT- 638 452.
 3. THE TAHSILDHAR
TALUK OFFICE,
NAMBIYUR TALUK,
ERODE DISTRICT.
- ... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, to issue legal heir ship certificate to the petitioners in lieu of the application dated 25.07.2024 within a time frame fixed by this Court.

For Petitioners : Mr.M.Roshan Atiq
For R1 to R3 : Mr.R.Neelakandan
Additional Advocate General-VIII
assisted by Mr.P.Murthi
Government Advocate



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ORDER

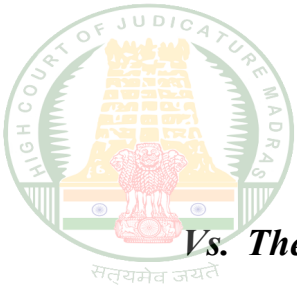
WEB COPY The writ petition is filed for a writ of mandamus to issue legal heirship certificate to the petitioners on the basis of the application dated 25.07.2024.

2. Upon hearing the learned counsel for the petitioners and the learned Additional Advocate General for the respondents 1 to 3 and perusing the affidavit filed in support of the writ petition and the material records of the case, it can be seen that the petitioners are seeking Class II legal heirship certificate of one N.G. Radhakrishnan, who died on 15.05.2024.

3. It is seen that the said Radhakrishnan and his spouse have also passed away without any class - I of legal heirs. The petitioners are seeking legal heirship certificate as a Class - II legal heirs.

4. When the matter came up for hearing, the learned Additional Advocate General submits that there is one more application which is also made and the same is under enquiry of the respondents.

5. The judgement of the Full Bench of this Court ***P.Venkatachalam***

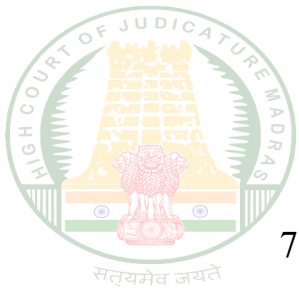


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Vs. The Tahsildar, Kumarapalyam Taluk, Namakkal in W.P.No.25247 of

WEB COPY 2021 ***etc., and batch*** which had considered the entire issue relating to the issuance of Legal Heirship Certificate, it has been held that the Certificate that is issued by the Tahsildar would only be a legal relationship certificate as he is not competent to determine the inheritance. In many cases, the problems arise on account of the claim of Class - II legal heirship.

6. Considering the same, the Government has also passed orders as to which all are the relationship that can be enumerated in the legal heirship certificate. At times, it would also be enough even the name of the predeceased persons is mentioned in the legal heirship certificate which will in turn help the petitioners to establish that they are class-II legal heirs even before the appropriate Civil Court



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7. In view thereof, Since the application filed by yet another person

is said to be pending, let the petitioners application dated 25.07.2024 shall also be taken up for joint enquiry. The authority shall issue notice to the petitioners and also such other person who may be interested. After enquiry, orders can be passed in accordance with law. The said exercise shall be carried out within a period of 12 weeks from date of receipt of the web copy of the order without waiting for the certified copy of the order.

8. Accordingly, the Writ Petition stands disposed of. No costs.

27.03.2025
(2/2)

Neutral Citation: Yes/No
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To

1. THE DISTRICT COLLECTOR,
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ERODE DISTRICT.
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