



W.P.No.11720 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 02.04.2025

CORAM:

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

W.P.No.11720 of 2025

SINGARI

... Petitioner

Vs

1. THE TAHSIDLAR,
KALLAKURICHI TALUK,
KALLAKURICHI DISTRICT.
2. THE REVENUE INSPECTOR
KALLAKURICHI TALUK,
KALLAKURICHI DISTRICT.
3. THE VILLAGE ADMINISTRATION OFFICE,
VADATHORASALUR VILLAGE,
KALLAKURICHI TALUK,
KALLAKURICHI DISTRICT.
4. SAROJA
5. MAHESWARI
6. GIRIJA
7. ANNAKILI
8. MANIKANDAN
9. PERIYASAMY

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, to call for the impugned



W.P.No.11720 of 2025

rejection order dated Nil in Application Number. TN-7202502171331, issued by respondents 1 to 3 and quash the same and consequently direct the respondents 1 to 3 to issue the legal heir certificate of the petitioner's late Husband Krishnamurthi within the stipulated time as may be fixed by this Court.

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

ORDER

The prayer in the writ petition is that the petitioner made an application in Application Number TN-7202502171331 for the issue of a legal heirship certificate and the same was rejected. Hence the petitioner is before this Court.

2. Upon hearing the learned counsel appearing for the petitioner and *Mr.R.Neelakandan*, the learned Additional Advocate General appearing on behalf of the respondents 1 to 3, it can be seen that one *Krishnamurthy* died on 24.12.2024. According to the petitioner, the said *Krishnamurthy* married the petitioner in 1983 and then married one *Saroja* belatedly in the year 1990 while the first marriage was subsisting. When the legal heir certificate was



W.P.No.11720 of 2025

applied for, disputes arose among the legal heirs and due to objections from the other family members, the names of the respective heirs could not be decided.

3. It is represented by the learned Additional Advocate General appearing on behalf of the respondents that no enquiry was possible and hence the petition should be rejected.

4. Obviously, when there are two families, they will object to each other. The legal heirship certificate is held to be a legal relationship certificate and which has to be issued according to the Government Order (G.O.). When two families dispute, the application cannot simply be rejected. To the best of their judgment, the respondents have to conduct an enquiry and come to the conclusion as the relationships of the children and wife, including the names of the parents, in the legal heirship certificate. The certificate can be issued and the aggrieved party, if they deny the relationship, entitled to remedies including filing of an appeal.

5. In view of the limited relief that is being granted, this writ petition is disposed of at the admission stage.



W.P.No.11720 of 2025

WEB COPY 6. The rejection order dated nil made in application No. TN-7202502171331 shall stand quashed. The application is restored to the file of the first respondent. If, for procedural reasons, a fresh application needs to be made, the first respondent may insist on the same, upon which the petitioner can submit a fresh application. The first respondent shall issue notices to the petitioner as well as the other persons, including the respondents 4 to 9 and conduct an inquiry. The legal heirship certificate shall be issued to the best of his judgment.

7. Any party aggrieved thereby, can approach the Civil Court or file an appeal if they dispute the relationship status of the other party. The above 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.

8. In view thereof, this writ petition is disposed of. No costs.

02.04.2025

1/2

Neutral Citation: Yes/No

4/6



W.P.No.11720 of 2025

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W.P.No.11720 of 2025

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W.P.No.11720 of 2025

02.04.2025

1/2