



W.P.No.12282 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 07.04.2025

CORAM:

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

W.P.No.12282 of 2025

S. VASANTHI

... Petitioner

Vs

THE TAHSILDAR
OFFICE OF THE TAHSILDAR,
COIMBATORE NORTH,
COIMBATORE DISTRICT.

... Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the proceedings issued by the respondent in O.Mu.No.6642/2024/A6 dated 30.12.2024 and quash the same and to direct the respondent issued legal heirs certificate in favour of the petitioner.

For Petitioner : Mr.R.Muruga Bharathi

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



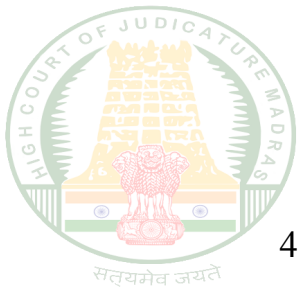
W.P.No.12282 of 2025

ORDER

WEB COPY This writ petition is filed challenging the order made in O.Mu.No.6642/2024/A6 dated 30.12.2024 and to quash the same. Consequently, to direct the respondent to issue a legal heir certificate in favor of the petitioner.

2. By the impugned order, the legal heirship certificate prayed for by the petitioner in respect of the death of one *S.V.Palanisamy* has been denied.

3. Upon hearing the learned counsel appearing for the petitioner and the learned Additional Advocate General appearing on behalf of the respondent, it can be seen that one *S.V.Palanisamy* died on 05.02.2016. His parents predeceased him. He died as a bachelor and survived only by siblings. One sister, *S.V.Padmavathi*, also died on 25.04.2017, leaving behind her daughter, and yet another sister, *D.Sarojini*, died on 18.11.2011, without any legal heir. The third sister, *S.V.Radhamani*, died on 20.05.2024, leaving behind one daughter. Another brother, *V.Jagadesan*, also predeceased him and has no other legal heirs.



W.P.No.12282 of 2025

4. As per the directions given by the Hon'ble Full Bench Judgment of this Court, G.O.(Ms).478 dated 29.09.2022 is issued, as per which the legal heir certificate is no longer a legal heirship certificate but a legal relationship certificate. The specific relations are ordered to be mentioned in this certificate, as it is not within the jurisdiction of the respondent authorities to determine the Class II heirs, especially when there are disputes and complications. However, that cannot be a ground to deny the issuance of the legal heirship certificate itself. Even if the mother of the petitioner is mentioned as a pre-deceased sister, the petitioner can have the right of heirship based on the said entry in the legal heirship certificate.

5. In view thereof, this writ petition is ordered on the following terms:-

(i) The impugned order made in O.Mu.No.6642/2024/A6 dated 30.12.2024 is set aside.

(ii) The matter is remanded back to the respondent. The respondent shall conduct an enquiry on the application of the petitioner and by including the names of the siblings and in case of the siblings, by mentioning in brackets that they are deceased or pre deceased, issue the legal heirship certificate.



W.P.No.12282 of 2025

Once the name of the petitioner's mother is also mentioned as pre-deceased,
the petitioner can claim her right as a Class II heir based on the said certificate.

(iii) The said exercise shall be completed within a period of eight weeks from the date of receipt of the web copy of the order, without waiting for the certified copy. No costs.

07.04.2025

Neutral Citation: Yes/No
nsl

To

THE TAHSILDAR
OFFICE OF THE TAHSILDAR,
COIMBATORE NORTH,
COIMBATORE DISTRICT.



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W.P.No.12282 of 2025

D.BHARATHA CHAKRAVARTHY, J.

nsi

W.P.No.12282 of 2025

07.04.2025