



W.P.No.12453 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 08.04.2025

CORAM:

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

W.P.No.12453 of 2025

H.VENKATESAN

... Petitioner

Vs

1. THE THASILDHAR,
POLLACHI TALUK OFFICE,
POLLACHI, COIMBATORE DISTRICT.
2. THE REVENUE DIVISIONAL OFFICER,
POLLACHI REVENUE DIVISION OFFICE,
POLLACHI, COIMBATORE DISTRICT.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, to call for the records of the first respondent in O.M.No.3986/2024/A2 dated 12.12.2024 and quash the same and consequentially direct the first respondent to issue a Legal Heir Certificate denoting that the siblings and the children of the deceased siblings of Mr.K.Gururajan are the Class -II legal heirs of deceased Mrs.G.Santha.

For Petitioner	: M/s.P. Priscilla Carolyn
For R1 & R2	: Mr.R.Neelakandan, Additional Advocate General assisted by Dr.S.Suriya Additional Government Pleader



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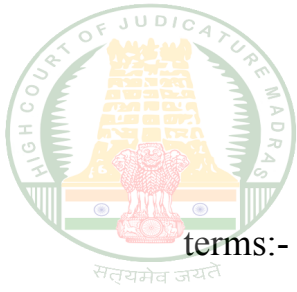
ORDER

WEB COPY This writ petition is filed challenging the order made in O.M.No.3986/2024/A2 dated 12.12.2024. By the said order, the prayer made by the petitioner to issue a legal heirship certificate in respect of the death of G.Shanta is negatived.

2. Upon hearing the learned counsel appearing for the petitioner and the learned Additional Advocate General appearing on behalf of the respondents and perusing the affidavit filed in support of the writ petition, it can be seen that one G.Shantha died on 02.06.2024. Her husband had also predeceased her. They did not have any children. Therefore, since the deceased person was a Hindu female, as per Section 15 of the Hindu Succession Act, the husband's heir can be recognized as the legal heirs.

3. The contention of the petitioner is that G.Shantha's husband's name was Gururajan and he had a sibling named Hanumanth Rao. The petitioner is the son of Hanumanth Rao. However, it can be seen that the authorities are pleading that those particulars were not placed before them.

5. In view thereof, this writ petition is disposed of on the following



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terms:-

WEB COPY(i) The impugned order made in O.M.No.3986/2024/A2 dated 12.12.2024 shall stand set aside.

(ii) The petitioner is directed to place the above details and supporting documents, including the death certificate and legal heirship certificates for other persons, if any. Upon perusing the same, the respondents shall consider the relationship of the parties, either by mentioning the petitioner's name or the pre-deceased sibling's name as per the G.O and legal heirship certificate shall be issued.

(iii) The petitioner's application shall be taken up for enquiry and the petitioner can also be heard, after which an order shall be passed.

(iv) The said exercise shall be carried out within eight weeks from the date of receipt of the web copy of the order, without waiting for the certified copy. No costs.

08.04.2025

Neutral Citation: Yes/No
nsl



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D.BHARATHA CHAKRAVARTHY, J.

nsI

To

1. THE THASILDHAR,
POLLACHI TALUK OFFICE,
POLLACHI, COIMBATORE DISTRICT.
2. THE REVENUE DIVISIONAL OFFICER,
POLLACHI REVENUE DIVISION OFFICE,
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