



W.P.No.12006 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 03.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.12006 of 2025

Krishna Kumar Hariharan

... Petitioner

Vs.

1.The Revenue Divisional Officer
Central Chennai Division
Anna Nagar West Extn
Thirumangalam
Chennai 600 101.

2.The Tahsildar
Mambalam – Guindy Taluk
New No.1, Old No.2
Bharathidasan Salai
K.K.Nagar, Chennai 600 078.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 10.12.2024 for correction of legal heirship certificate issued to the petitioner dated 10.03.2024 for the death of the



W.P.No.12006 of 2025

petitioner's wife namely Urmilla Santhanam Kumarapuram in Certificate No.TN7202402241564 by deleting the name of Sheshambal Santhanam (SI.No.3) the mother of the deceased Urmilla Santhanam and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.P.Vasudevan

For Respondents : Mr.R.Neelakandan
Assisted by
Mr.S.Balamurugan
Government Advocate

ORDER

This Writ Petition is filed to direct the first respondent to consider the petitioner's representation dated 10.12.2024 for correcting the legal heirship certificate issued in respect of the death of the petitioner's wife namely Urmilla Santhanam, Kumarapuram in certificate No.TN7202402241564 by deleting the name of the third respondent the mother of the deceased namely Urmilla Santhanam.



W.P.No.12006 of 2025

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2. Upon hearing Mr.Vasudevan, the learned counsel appearing on behalf of the petitioner and Mr.S.Balamurugan, the learned Government Advocate appearing on behalf the respondents and perusing the affidavit filed in support of the Writ Petition and the material records of the case, it can be seen that the petitioner's wife namely Urmilla died on 11.12.2024. While issuing the death certificate her mother's name namely Seshambal Santhanam is also included as the legal heir. It is clear that as per Section 15 of the Hindu Succession Act in respect of a hindu woman who dies intestate, the mother will not become Class-1 heir automatically, therefore this Writ Petition is filed. However it can be seen that by virtue the Full Bench judgment of this Court in the case of ***P.Venkatachalam and Ors. Vs. The Tahsildar, Kumarapalayam Taluk and Ors in W.P.No.25247 of 2021*** the legal heir certificates are no more legal heirship certificate but at best are only relationship certificate enumerating the relationships.

3. Based on the Full Bench judgment, G.O.Ms.No.478 dated 29.09.2022 is also issued whereby the names of the parents and the children and the spouse are included in all the legal heirship certificate. The mere



W.P.No.12006 of 2025

presence of the name of the third respondent will not entitle her to become a legal heir and if the said certificate is produced before any authority, the same shall be read as if the petitioner and her son alone are the Class-I legal heirs and not the third person mentioned in the legal heirship certificate namely Seshambal Santhanam.

4. With the above clarification, this Writ Petition is disposed of.

No costs.

03.04.2025

Neutral Citation : No
dna

To

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W.P.No.12006 of 2025

D.BHARATHA CHAKRAVARTHY, J.
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W.P.No.12006 of 2025

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