



W.P.No.15547 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 29.04.2025

CORAM:

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

W.P.No.15547 of 2025

and

W.M.P.No.17566 of 2025

L. RAMACHANDRAN

... Petitioner

Vs

THE TAHSILDAR
MAMBALAM - GUNDY TALUK,
CHENNAI - 600 031.

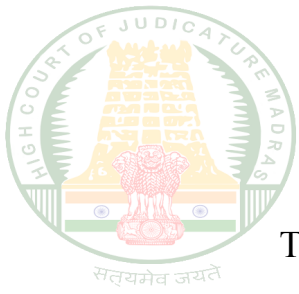
... Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, call for the records of the respondent relating to the impugned order passed by the respondent vide Application No.TN-7202503191009 dated 19.03.2025 and quash the said order as illegal and consequently direct the respondent to issue legal heirship certificate in favour of the petitioner as legal heirs of late Lakshmi Narayanan respectively within a stipulated time.

For Petitioner : Ms.P.Srividhya

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

ORDER



W.P.No.15547 of 2025

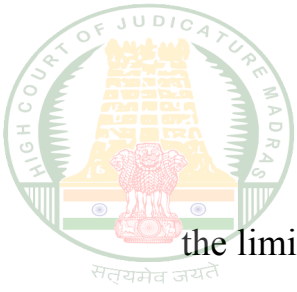
This writ petition is filed challenging the impugned order passed by the

respondent vide Application No.TN-7202503191009 dated 19.03.2025.

2. By the said order, the petitioner's application for issuance of a legal heir certificate was rejected. It was rejected on two grounds, firstly, that the petitioner's father, R.Lakshminarayanan, died on 06.03.1979 and therefore, due to the efflux of time, it is not reasonably possible to conduct an enquiry and ascertain the legal heirs. The second ground for rejection is that the deceased R.Lakshminarayanan had four sons, of which, one son by name L.Gopalakrishnan, is unheard of. Therefore, unless the whereabouts of the said L. Gopalakrishnan are known, no decision could be taken by the respondent.

3. I have heard the learned counsel appearing for the petitioner and the learned Additional Advocate General VIII appearing for the respondent.

4. It is true that there has been considerable efflux of time. However, the petitioner submits that the death certificate of the said R.Lakshminarayanan is available. In the registered Will executed by R.Lakshminarayanan's wife, Visalatchi, as early as 1984, all the legal heirs name are also mentioned. Therefore, there is enough document in the hands of the petitioner to prove to



W.P.No.15547 of 2025

the limited extent of identifying the legal heirs for issuance of the certificate. It

is now well settled, including by a judgment of this Court in

P.Venkatachalam vs. The Tahsildar, Kumarapalayam Taluk, Namakkal

District, (W.P.No.25247 of 2021) and subsequent G.O.s, that a legal heir

certificate is not conclusive proof as to whether any person is legal heirs or not

and at best serves as a legal relationship certificate. Therefore, if *prima facie*

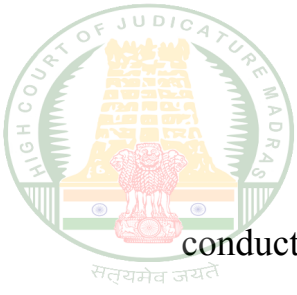
proof is produced, the enquiry can proceed and legal heirs can be enumerated.

5. As far as one legal heir L.Gopalakrishnan is concerned, if the petitioner insists on excluding him or declaring his civil death, the Tahsildar will face difficulty. The Tahsildar can very well include his name in the legal heir certificate and it is open to the petitioner to later approach the Civil Court to proclaim the civil death of said L.Gopalakrishnan. For that purpose, the entire legal heriship certificate in entirety need not be rejected.

6. In view thereof, this writ petition is disposad of the following terms:-

(i) The impugned order dated 19.03.2025 made in Application No.TN-7202503191009 shall stand quashed.

(ii) The matter is remanded to the respondent. The respondent shall



W.P.No.15547 of 2025

conduct an enquiry based on the best available evidence and can also insist on further affidavits confirming the legal heirs names. Based on that, the respondent shall decide who the legal heirs of the said R.Lakshminarayanan are and issue a certificate accordingly.

(iii) The said exercise shall be completed within twelve weeks from the date of receipt of the web copy of this order, without waiting for a certified copy.

(iv) Consequently, connected miscellaneous petition is closed. No costs.

29.04.2025

Neutral Citation: Yes/No
nsl

To
THE TAHSILDAR
MAMBALAM - GUNDY TALUK,
CHENNAI - 600 031.

D.BHARATHA CHAKRAVARTHY, J.

nsl



WEB COPY



W.P.No.15547 of 2025

W.P.No.15547 of 2025

29.04.2025