



W.P.No.15721 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED :29.04.2025

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.15721 of 2025

J.Aravindan,
S/o.P.Jeyaraj,
New No.18, Old No.3/2,
Kamarajar Salai,
Tiruvallur District.

... Petitioner

/versus/

The Tahsildhar,
Tiruvallur Taluk,
Tiruvallur District

... Respondent

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent pertaining to the impugned order proceedings vide Na.Ka.No.004/2025/GDP, dated 11.03.2025 and quash the same and consequently direct the respondent herein to issue the Class-II legal heirs certificate of the Petitioner's sister J.Amudha.

For Petitioner : Mr.S.Annamalai
For Respondent : Mr.R.Neelakandan, AAG-VIII,
Assisted by Mr.S.Balamurugan,
Government Advocate.



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ORDER

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This case depicts yet another practical difficulty in the issue of legal heirship certificate. By the impugned order dated 11.03.2025, the application made by the petitioner is rejected, because the portal does not admits filing of such application by the petitioner.

2. The petitioner's sister though was married, was divorced, even during her lifetime and the decree of divorce was passed in H.M.O.P.No.146 of 2014 and thereafter, she died. The petitioner being the bother, is the Class-II legal heir. Such an event was not contemplated at the time of developing the portal and the portal is not admitting the application itself.

4. The Learned Counsel for the petitioner would also submit that after the divorce, she died and the non remarriage certificate is also issued by the Tahsildar.

5. With the experience that are carried in the course of the time, due additions are also being made to the original Government Order that was issued in G.O.Ms.No.110 of 2024. Therefore, this writ petition is disposed of the following terms:



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(i) The present case shall be treated as an extraordinary case and physical application shall be obtained by the petitioner and the same shall be processed in accordance with law and orders be passed granting legal heirship certificate in accordance with law.

(ii) The Secretary to Government, Revenue Department and Disaster Management, Chennai shall also take notice of the situation like the instant case and by enabling the others category so as to upload the application in the portal and so that, the authority shall consider the same on merits.

(iii) The Secretary to Government, Revenue and Disaster Management Department, shall also consider and issue supplement by making suitable additions in respect of Clause I. (C) of G.O.Ms.No.110, dated 13.03.2024 adding clauses to cover cases like that of the petitioner which involves cases of divorce.

(iv) The grant of legal heirship certificate to the petitioner is concerned, the same shall be completed within a period of 12 weeks from the date of receipt of the web copy of the order without waiting for the certified copy of the order.



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6. With the above directions, the writ petition is disposed of.

There shall be no order as to costs.

29.04.2025

Neutral citation :No.

bsm

Note: Copy of this order shall be circulated to the Secretary to Government, Revenue Department and Disaster Management, Revenue Administration, Secretariat, Chennai.

To,

1. The Tahsildhar
Tiruvallur Taluk,
Tiruvallur District

2. The Government Pleader, High Court, Madras.



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D.BHARATHA CHAKRAVARTHY, J.

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