



W.P.No.14281 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

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**DATED : 22.04.2025**

**CORAM:**

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

**W.P.No.14281 of 2025**

1.T.S.Krishnakumar  
2.Jayanthi Srinivasan  
3.Nandakumar Seshadri Thirumalai

... Petitioners

Vs.

The Tahsildar  
Tahsildar Office  
Tambaram, Chennai 600 045.

...Respondents

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent dated 07.03.2025 in O.Mu.4166/2024/A5 and quash the same and consequently direct the respondent to issue legal heir certificate on the basis



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of the petitioners application dated 09.07.2024 for the death of  
T.S.Varadarajan under Class-II legal heirs.

For Petitioners : Mr.A.Shanmugam

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

### **ORDER**

This Writ Petition is filed challenging the impugned order dated 07.03.2025 passed by the respondent. By the said order, the application that is made for issue of legal heirship certificate is rejected.

2. The case of the petitioner is that one Varadharajan died on 07.04.2021. His wife predeceased him. They do not have any children. It is only the siblings of the said Varadharajan and their children including the petitioner are now the heirs of the said Varadharajan. Therefore, the petitioner made an application and the same is rejected.



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3. When the matter came up for admission, the learned Additional Advocate General upon written instructions would submit that since the petitioner is only the son of the sibling, the application was not considered.

4. It can be seen that after the judgment of the Full Bench, the GO originally issued in G.O.Ms.No.478 is now also amended as GO.Ms.No.110. Under the amended GO.Ms.No.110 the siblings can also be mentioned in the legal heirship certificate. If some of the siblings are deceased/predeceased, the name can also be mentioned as deceased/predeceased and if the petitioner's father name is mentioned as a predeceased sibling, as a heir the petitioner can take advantage of the same and claim legal heirship. Therefore, the rejection of the claim itself is erroneous.

5. In view thereof, this Writ Petition is disposed of on the following terms;



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(i) The impugned order dated 07.03.2025 in O.Mu.4166/2024/A5 shall stand quashed;

(ii) The matter stand remanded back to the respondent, the respondent shall consider the matter. Since the said Varadharajan is predeceased by his wife and also the parents, and survived only by the siblings, the respondent shall issue the legal heirship certificate by including the predeceased siblings name also. So that the petitioner can take advantage of the same with reference to claiming as Class-II legal heir;

(iii) The aforesaid exercise 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.

(iv) No costs.

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Neutral Citation : No  
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**To**

The Tahsildar  
Tahsildar Office  
Tambaram, Chennai 600 045.



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**D.BHARATHA CHAKRAVARTHY, J.**  
dna

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