



W.P No. 18545 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-06-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 18545 of 2025

N.Kavithayini
D/o.S.Namo
Narayanan,No.17a,Kavery
Street,Kannaya Nagar,Manavala
Nagar,Thiruvallur 602002

... Petitioner

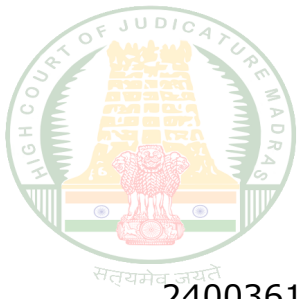
Vs

1. The District Revenue Officer
Rajaji Salai,Fourth Floor,No.62,Beach
Road,George Town,Chennai 600 001
- 2.The Revenue Divisional Officer(rdo)
Central Chennai Revenue Divisional
Office, Thirumangalam, Anna Nagar
West, Chennai
- 3.The Tahsildar,
Aminjikarai Taluk, Shenoy Nagar,
Chennai 600 030
- 4.P.Shanmugavalli,
W/o.S.Namo Narayanan, No.46/102a,
Ashoka Nagar 1st Street,
Arumbakkam, Chennai 600106

... Respondents

PRAYER

Writ Petition under Article 226 of the Constitution of India praying for a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the 1st Respondent in Se.Mu.Aa.No.U6/e-



W.P No. 18545 of 2025

2400361/2024 dated 02.02.2025 and quash the same as illegal and arbitrary and consequently direct the 3rd respondent either to include or to issue a fresh Legal Heir Certificate by incorporating the Legal Heirs of the deceased S.Namo Narayanan, namely 1.N.Sathya (2nd wife), 2.N.Rishi Balaji (son) and 3.N.Kavithayini (daughter-petitioner) in the Legal Heir Certificate No.TN-7202206131316 dated 13.06.2022 within a stipulated time as fixed by this Court.

For Petitioner : Mr.N.Vijaya Basker
for M/s.Law Vision

For Respondents : Mr.R.Neelakandan
Additional Advocate General
assisted by Mr.G.Velu
Additional Government Pleader
for RR 1 to 3

ORDER

This writ petition has been filed challenging the proceedings of the first respondent dated 02.02.2025 and for a consequential direction to the third respondent to include the name of the petitioner, her mother and her brother in the legal heirship certificate that has been issued to the fourth respondent.

2. Heard Mr.N.Vijaya Basker learned counsel for the petitioner and Mr.R.Neelakandan, learned Additional Advocate General assisted by Mr.G.Velu, learned Additional Government Pleader for the respondents 1 to 3.



W.P No. 18545 of 2025

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3. The case of the petitioner is that the deceased Nammo Narayanan married the fourth respondent. Thereafter, he married the mother of the petitioner as his second wife in the year 2002. Out of this wedlock, the petitioner and her brother were born. The said Nammo Narayanan died on 03.02.2022. The fourth respondent has received the legal heirship certificate as if she is the only legal heir of the deceased Nammo Narayanan. In view of the same, the petitioner submitted an application to include the name of the petitioner and her brother and the mother in the legal heirship certificate. The same was rejected by the first respondent through the impugned proceedings dated 02.02.2025. Aggrieved by the same, the present writ petition has been filed before this Court.

4. This Court takes note of the fact that the deceased Nammo Narayanan during his life time, has mentioned the name of the petitioner and her brother as his children in the application submitted to the Bar Council towards welfare fund. That apart, even the fourth respondent during enquiry has admitted to the fact that the petitioner and her brother were born to the second wife.

5. In the considered view of this Court, there is no scope for



W.P No. 18545 of 2025

WEB COPY

including the name of the petitioner's mother in the legal heirship certificate. This is in view of the fact that such second marriage had taken place during the subsistence of the first marriage. Therefore, only the name of the petitioner and her brother who are the children through second marriage can be added in the legal heirship certificate apart from the name of the fourth respondent, who is admittedly the first wife.

6. In the light of the above discussion, there shall be a direction to the third respondent to issue a fresh legal heirship certificate by adding the name of the petitioner and her brother apart from the name of the fourth respondent, who is his first wife. This process shall be completed by the third respondent within a period of four weeks from the date of receipt of a copy of this order. This writ petition is disposed of in the above terms. No costs.

04-06-2025

KST
Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No



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N.ANAND VENKATESH, J.

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WP No. 18545 of 2025

04-06-2025