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W.P.No.16805 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2025

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

W.P.No.16805 of 2025

AND

W.M.P.No.19051 of 2025

K.Santhakumari

.. Petitioner

Vs

The Tahsildar

Mylapore Taluk

No.28, Raja Annamalaipuram

Chennai 600 028

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified mandamus to call for records in connection of her late father Shanmugam Chettiyar bearing application No.TN-7202412071784 dated 07.12.2024 and the subsequent application bearing No. 7202503212790 dated 21.03.2025 and quash the same and direct the respondent to issue legal heir certificate to the petitioner within a time frame stipulated by this Court.

For Petitioner : Mr.M.Vijaya Ragavan

For Respondent : Mr.R.Neelakandan
Additional Advocate General
Assisted by Mr.T.M.Rajangam
Government Advocate



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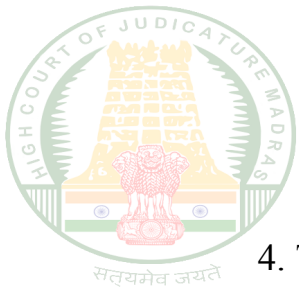
ORDER

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This writ petition has been filed challenging the impugned communication/online status dated 07.12.2024 and for a consequential direction to the respondent to deal with the application submitted by the petitioner wherein the petitioner is seeking issuance of legal heirship certificate.

2. Heard both sides and perused the materials placed before this Court.

3. The case of the petitioner is that her father late Shanmugam Chettiyar died in the year 1956. To substantiate the same, the death certificate that was issued is relied upon. The further case of the petitioner is that online application was submitted seeking for legal heirship certificate on the ground that the petitioner is the only legal heir left since her mother also died. The online application submitted by the petitioner came to be rejected through the online status dated 07.12.2024 on the ground that records of the year 1956 is not available and could not be verified by the Revenue Inspector. Apart from that, the online status dated 21.03.2025 has been issued based on the report of the Revenue Inspector to the effect that the petitioner is not even living in the address given by her. It is under these circumstances, the present writ petition came to be filed before this Court.



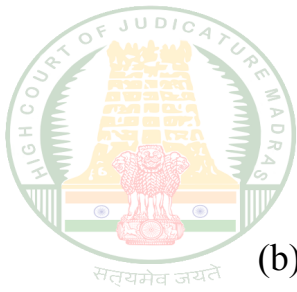
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4. The petitioner is relying upon the death certificate issued after the demise of her father. The petitioner is also relying upon the aadhaar card and PAN card that stands in the name of the petitioner. The learned counsel for the petitioner is relying upon the order passed by this Court in W.P.No.7978 of 2025 dated 07.03.2025.

5. In the considered view of this Court, the petitioner's father died in the year 1956. According to the petitioner, she is the only surviving legal heir. The respondent has to determine as to who are the legal heirs of the deceased late Shanmugam Chettiyar. In a similar case, this Court had issued directions in W.P.No.7978 of 2025 and the same can be relied upon. The mere fact that there are no records available, by itself, will not result in the denial of the request made by the petitioner. That apart, to substantiate that the petitioner is residing in the property, her aadhaar card and PAN card has been relied upon.

6. In view of the above, the writ petition is disposed of on the following terms :

- (a) The impugned communication online status dated 07.12.2024 is set aside.



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(b) The petitioner shall make a fresh online application to the respondent and the respondent shall call the petitioner for enquiry and insist such documents/affidavits or relegate the petitioner to the Revenue Inspector for further enquiry, the authority shall make further enquiry and come to a conclusion by the best judgment as to who are all the legal heirs and include the names of those persons and issue legal heirship certificate. While doing so, the affidavits of the persons known to the family which includes the relatives and neighbours can be relied upon.

(c) The above exercise shall be completed within a period of eight weeks from the date of receipt of the fresh online application from the petitioner.

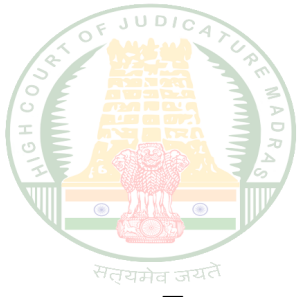
No costs. Connected W.M.P. is closed.

02.06.2025

Index : Yes/No

Neutral Citation : Yes/No

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To

The Tahsildar
Mylapore Taluk
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N. ANAND VENKATESH, J.

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