



WEB COPY

WP No. 18402 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-07-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 18402 of 2024

1. Mary Prema
W/o.Late K.L.Arokianathan

Petitioner(s)

Vs

1. The District Collector
Thiruvallur District, Thiruvallur.

2.The Tahsildar
Avadi Thaluk, Avadi Railway Station
Road, Thirumalai Rajapuram,
Avadi, Chennai-054.

3.L.Sowriammal
W/o.Late Lourdunathan

Respondent(s)

PRAYER

Directing the 1st and 2nd respondents to take action on the petitioner's representation dated 06.04.2024 regarding the removal of the 3rd respondent's name from the legal heirship certificate dated 27.07.2021 bearing No.TN-7202107172763.



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For Petitioner(s): Mr.H.Adaikala Arockiaraj

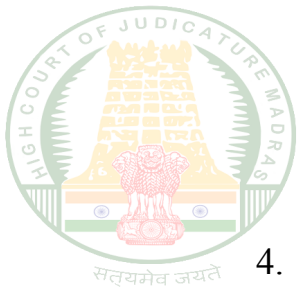
For Respondent(s): Mr.S.Jayachandran
Government Advocate
asst by
Mr.r.Neelakandan for R1 & 2
Mr.V.Umashankar for R3

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the first and second respondents to take action based on the representation made by the petitioner on 06.04.2024, wherein the petitioner is seeking for removing the name of the third respondent dated 27.07.2021.

2. Heard Mr.H.Adaikala Arockiaraj, learned counsel for the petitioner and Mr.S.Jayachandran, learned Government Advocate assisted by Mr.r.Neelakandan, learned counsel for the 1st and 2nd respondents and Mr.V.Umashankar, learned counsel for the 3rd respondent.

3. The main ground that has been raised by the learned counsel for the petitioner is that the petitioner is the wife of the deceased and they had a son. Instead of mentioning the name of the petitioner and the son in the legal heirship certificate, the name of the third respondent, who is the mother of the deceased, was also included. Aggrieved by the same, the petitioner submitted representation to remove the name of the 3rd respondent.



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4. In the considered view of this Court, the legal heirship certificate is more in the nature of a relationship certificate. Even as per the G.O.Ms.No.110, Revenue and Disaster Management, Revenue Administration Wing, dated 13.03.2024, the relationship of the mother and father to that of the deceased can also be mentioned in the legal heirship certificate. That by itself will not give any right to the Class 2 legal heirs to claim any priority over the Class 1 legal heirs. They will always be governed by their personal law and the entitlement over the property left by the deceased can be decided only in the line with the personal law and it cannot be done in line with the legal heirship certificate issued by the Tahsildar. This clarification will sufficiently take care of the grievance expressed by the petitioner. It is reiterated that the name of the third respondent has been included in the legal heirship certificate only to show her relationship with the deceased as the mother of the deceased.

5. Accordingly, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petitions, if any, are closed.

21-07-2025

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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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