



Writ Petition No.21759 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2025

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.21759 of 2025

Padma

W/o.Late Ramesh

Petitioner

Vs

1. The Commissioner of Revenue Administration,
Chepauk, Chennai 600 005.

2.The District Collector,
District Collectorate, Erode.

3.The Revenue Divisional Officer,
Revenue Divisional Office, Gobichettipalayam.

4.The Thasildhar,
Bhavani Taluk Office,
Bhavani, Erode District.

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records of the fourth respondent in application dated 13.10.2024 TN 720241013193 and to quash the order dated 20.10.2024 and to direct the fourth respondent to issue legal heirship certificate of deceased Ramesh to the petitioner within a time as stipulated by this Court.

For Petitioner : Mr.M.Saravanakumar

For Respondents : Mr.R.Neelakandan,
Additional Advocate General
assisted by Mr.T.M.Rajangam,
Government Advocate



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ORDER

This writ petition has been filed challenging the impugned online rejection order of the fourth respondent dated 13.10.2024 and for a consequential direction to the fourth respondent to issue legal heirship certificate of deceased Ramesh.

2. Heard Mr.M.Saravanakumar, learned counsel for petitioner and Mr.R.Neelakandan, learned Additional Advocate General assisted by Mr.T.M.Rajangam, learned Government Advocate, appearing for respondents.

3. The petitioner claims to be the wife of one Ramesh. The further case of the petitioner is that her husband died on 06.02.2023 in a road accident. A First Information Report was registered in Crime No.25/2023 on the file of Kavandapadi Police Station, Erode District. The petitioner has also filed a claim petition in M.C.O.P.No.136 of 2023 and the same is pending before the III Additional District Court, Gobichettipalayam. Out of the wedlock, the petitioner has one son and daughter and the mother of the deceased is also alive and she is also one of the legal heir. The petitioner applied for the legal heirship certificate



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before the fourth respondent. The fourth respondent, through the online rejection order, has rejected the application on the ground that the permanent address of the deceased is found to be in Nepal and therefore, refused to entertain the application. Aggrieved by the same, the present writ petition has been filed.

4. On carefully considering the materials placed before this Court, it is seen that the Aadhar Card stands in the name of the deceased and the particulars mentioned therein pertains to the address at Kavandapadi, Erode District. That apart, the death certificate of the deceased is also available. However, in the death certificate, apart from mentioning the address of the deceased at Kavandapadi, Erode, the address at Nepal also finds place. This by itself cannot be a ground to reject the legal heirship certificate when all the other documents clearly show that the deceased was living in India and he died in the year 2023 leaving behind the petitioner, two children and his mother. In view of the same, the online rejection order is unsustainable.

5. In view of the above discussion, the impugned online rejection order of the fourth respondent dated 13.10.2024 is hereby



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N.ANAND VENKATESH, J

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quashed. The petitioner is directed to make a fresh application before the
fourth respondent along with all necessary particulars by paying
necessary charges and on receipt of the same, the fourth respondent shall
issue the legal heirship certificate to the petitioner within a period of four
(4) weeks thereof.

This writ petition is allowed with the above direction. No costs.

19.06.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order

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To

1. The Commissioner of Revenue Administration,
Chepauk, Chennai 600 005.

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District Collectorate, Erode.

3. The Revenue Divisional Officer,
Revenue Divisional Office, Gobichettipalayam.

4. The Thasildhar,
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