



Writ Petition No.22421 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2025

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.22421 of 2025

M.Annamalai
S/o.Munusamy

Petitioner

Vs

1.The Managing Director,
Tamil Nadu Urban Habitat Development Board,
No.5, Kamarajar Salai,
Chennai - 600 005.

2.The Executive Engineer,
Zone 4,
Tamil Nadu Urban Habitat Development Board,
Teynampet, Chennai - 600 018.

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the first respondent to execute the sale deed in respect of the property situated at Plot No.292, Door No.64, East Namachivayapuram, Choolaimedu, Chennai - 600 009 to and in favour of the writ petitioner without insisting on legal heirship certificate.

For Petitioner : Mr.M.Vijayakumar

For Respondents : Mr.S.Karthikeyan
Standing Counsel



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ORDER

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This writ petition has been filed seeking issuance of a writ of mandamus directing the first respondent to execute a sale deed in the name of the petitioner with respect to the subject property.

2. Heard Mr.M.Vijayakumar, learned counsel for petitioner and Mr.S.Karthikeyan, learned Standing Counsel appearing for respondents.

3. The case of the petitioner is that late Manickam was the allottee and the lease cum sale agreement dated 01.04.1984 was executed in his favour by the respondents. He executed a Will dated 05.05.1999 with respect to the subject property and bequeathed the property in favour of the petitioner. The said Manickam died on 19.07.1999 and the petitioner filed O.P.No.411 of 2008 before this Court seeking for issuance of Letters of Administration. This Court granted Letters of Administration dated 30.04.2009 with respect to the subject property. Thereafter, the petitioner is in possession and enjoyment of the property. The petitioner approached the respondent for execution of sale deed in his name based on the Will executed in his favour by the original allottee and based on the Letters of Administration issued by this Court.



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4. The grievance of the petitioner is that the respondents are insisting for legal heirship certificate and in the absence of the same, the respondents are refusing to execute the sale deed in favour of the petitioner. It is under these circumstances, the present writ petition came to be filed before this Court.

5. In the considered view of this Court, once Letters of Administration has been granted by this Court on 30.04.2009 based on the Will executed by the late Manickam on 05.05.1999, the same has to be acted upon by the respondents and the respondents cannot seek for legal heirship certificate. In any case, once a competent Court has recognized the petitioner as the beneficiary under the Will, thereafter, it will not be open to the revenue authority to once again recognize the relationship of the petitioner with the deceased Manickam. Hence, the respondents ought not to have insisted for production of the legal heirship certificate.

6. In the light of the above discussion, there shall be a direction to the first respondent to act upon the application submitted by the petitioner for execution of sale deed in his name without insisting for



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N.ANAND VENKATESH, J

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legal heirship certificate and a decision shall be taken within a period of six (6) weeks from the date of receipt of a copy of this order.

This writ petition is disposed of with the above direction. No costs.

24.06.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order

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To

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