



WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-06-2025

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 22100 of 2025

Mrs.P.Mariammal

Petitioner(s)

Vs

The Tahsildar
Kadayampatti Taluk,
Salem Dsitric-636 351.

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to consider the physical application of legal heir certificate submitted by the petitioner dated 02.05.2025 within the time frame fixed by this Court.



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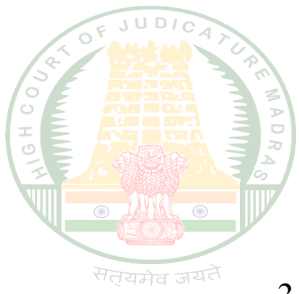
For Petitioner(s): Ms.S.Vasavi Sridevi

For Respondent: Mr.R.Neelagandan
Additional Advocate General
assisted by
Mr.G.Velu
Additional Government Pleader

ORDER

This writ petition has been filed for issue of writ of mandamus directing the respondent to consider the application submitted by the petitioner on 02.05.2025, wherein, the petitioner is seeking for legal heirship certificate after the demise of Pachiyannan who is the father of the petitioner.

2.Heard Mr.S.Vasavi Sridevi, learned counsel appearing on behalf of the petitioner and Mr.R.Neelakandan, learned Additional Advocate General appearing on behalf of the respondent.



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3.The petitioner's father Pachiyannan died on 26.12.2011, leaving behind six children. One of the son pre-deceased him. Similarly, his wife also pre-deceased. The petitioner was attempting to apply through online seeking for legal heir ship certificate. But however, one of the brother Perumal was not co-operating. Similarly, the wife and children of the pre-deceased brother were not also not co-operating. Therefore, the petitioner was able to send only a physical application. Since the same was not considered, the present writ petition has been filed before this Court.

4.It is seen that the petitioner does not want to leave out either Perumal or the legal heirs of Govindarasu and the petitioner wants their names also to be included in the legal heir ship certificate. However, due to the non-cooperation, the petitioner is not able to apply through online mode.

5.In the peculiar facts of this case, there shall be a direction to respondent to entertain the physical application filed by the petitioner and conduct an enquiry and issue a legal heir ship certificate. While undertaking



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the exercise, if the respondent requires such online application to be uploaded with their assistance, the petitioner shall cooperate for the same. Ultimately, the legal heir ship has to be issued by incorporating the names of all the legal heirs of Late Pachiyannan. This process shall be completed by the respondent, within a period of six weeks from the date of receipt of copy of this order.

6.Before parting with this case, this Court finds that in many cases, due to non-cooperation of other legal heirs, online application is not able to be presented. Hence, the Government can consider adding a guideline in G.O.Ms.No.478, dated 09.09.2022, which was subsequently amended in G.O,Ms.No.110, dated 13.03.2024 and provide for accepting physical application wherever such online application is not able to be presented due to the non-cooperation of the part of the other legal heirs or due to a situation where such presentation of the application through online becomes an impossibility.



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7.This writ petition is disposed of with the above directions. No Costs.

8.A copy of the order shall be marked to the Secretary to Government,
Revenue Department, Secretariat, Chennai 600 009 and Commissioner of
Revenue Administration, Ezhilagam, Chepauk, Chennai 600 005.

20-06-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1.The Tahsildar
Kadayampatti Taluk,
Salem District-636 351.

2.The Secretary to Government,
Revenue Department,
Secretariat, Chennai 600 009

3.The Commissioner of Revenue
Administration,
Ezhilagam, Chepauk,
Chennai 600 005.



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