



Writ Petition No.21782 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.21782 of 2025

and

W.M.P.No.24549 of 2025

V.Prema

W/o.Late Veera Kumar

Petitioner

Vs

1. The Greater Chennai Corporation,
Rep by its Commissioner,
Ripon Building, Chennai-600 030.

2.The Tahsildar,
Perambur Taluk Office,
Chennai - 600 011.

3.Ammu

W/o.Late Veera Kumar

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 second respondent No.TN720240920703 dated 06.10.2024 and quash the same and consequently, direct the second respondent herein to issue a fresh legal heir certificate by including petitioner's children namely 1. Dhaniya aged about 11 years and 2.Devinesh Kumar aged about 6 years as class I legal heirs.



WEB COPY



Writ Petition No.21782 of 2025

For Petitioner : Ms.N.Vinothini

For Respondents : Mr.E.C.Ramesh, Standing Counsel
[R1 & R2]

ORDER

This writ petition has been filed questioning the legal heirship certificate issued by the second respondent dated 06.10.2024 and for a consequential direction to the second respondent to issue a fresh legal heirship certificate including the names of the petitioner's children, who were born to late Veera Kumar.

2. Heard Ms.N.Vinothini, learned counsel for petitioner and Mr.E.C.Ramesh, learned Standing Counsel appearing for respondents 1 and 2.

3. The case of the petitioner is that late Veera Kumar married the third respondent and out of the wedlock, there were two children. During the subsistence of the first marriage, the said Veera Kumar, after an alleged customary divorce, married the petitioner. Two children were born out of that marriage, namely, a girl child named Dhaniya and a boy named Devinesh Kumar. The said Veera Kumar died on 10.08.2024.



Thereafter, the first wife and children had approached the second respondent and a legal heirship certificate was given only by showing the names of the first wife, two children and mother of the deceased. Aggrieved by the same, the petitioner submitted a representation to the respondents stating that two children were born to late Veera Kumar and their names must also be included in the legal heirship certificate. Since the same was not considered, the present writ petition has been filed.

4. This Court carefully considered the submissions made on either side and the materials available on record.

5. To *prima facie* satisfy this Court that the two children were born to late Veera Kumar and the petitioner, the birth certificates that were issued to Dhaniya and Devinesh Kumar were brought to the notice of this Court. It is mentioned in the birth certificates that the name of the father is Veera Kumar. In view of the same, the children born through the second marriage must also be considered to be the legal heirs of late Veera Kumar.



Writ Petition No.21782 of 2025

N.ANAND VENKATESH, J

WEB COPY

gm

6. In the light of the above discussion, there shall be a direction to the petitioner to submit a fresh online application before the second respondent by paying necessary charges and the second respondent shall act upon the same and a fresh legal heirship certificate shall be issued by adding the names of the petitioner's children also. This process shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order.

This writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

19.06.2025

Neutral Citation: Yes/No
Index: Yes/no
Speaking Order/Non-Speaking Order
gm

To
1. The Commissioner,
Greater Chennai Corporation,
Ripon Building, Chennai-600 030.

2. The Tahsildar,
Perambur Taluk Office, Chennai - 600 011.

Writ Petition No.21782 of 2025