



W.P.No.40121 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.40121 of 2025

Lalit Kumar R.Shah

... Petitioner

Vs.

1.Greater Chennai Corporation,
Rep. by its Commissioner,
Ripon Building, Chennai – 600 003

2.Tahsildar,
Taluk Office Purasawalkam,
3, Raja Muthiah Road, Periamet,
Kannappar Thidal, Chennai,
Tamil Nadu – 600 003.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to issue a legal heir certificate in favor of the petitioner in respect of the deceased Miss.Mrudula R.Shah died on 02.08.2024, leaving behind the petitioner herein, her brother, the only legal heir, without insisting on giving the Aadhaar number of the petitioner on receiving physical application for issuance of legal heir certificate.



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For Petitioner : Mr.Samir S Shah
for M/s.Shah & Shah
For Respondents : Ms.K.Aswini Devi
Standing Counsel [R1]
Mrs.S.Anitha
Special Government Pleader [R2]

ORDER

This Writ Petition has been filed by the petitioner seeking for a Writ of Mandamus, to direct the respondents to issue a legal heir certificate in favor of the petitioner in respect of the deceased Miss.Mrudula R.Shah died on 02.08.2024, leaving behind the petitioner herein, her brother, the only legal heir, without insisting on giving the Aadhaar number of the petitioner on receiving physical application for issuance of legal heir certificate.

2. Ms.K.Aswini Devi, learned Standing Counsel, accepts notice on behalf of the 1st respondent and Mrs.S.Anitha, learned Special Government Pleader, accepts notice on behalf of the 2nd respondent. In view of the consent expressed by the parties, this writ petition is taken up for final disposal at the stage of admission itself.



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3. The case of the petitioner is that his sister namely Mrudula R Shah had passed away on 02.04.2024. However, the death certificate was uploaded to the portal after an inordinate delay of nearly seven weeks. In the month of December 2024, the petitioner personally visited the office of the 2nd respondent, who is the competent authority for issuing legal heir certificate, with the intension of submitting a physical application. However, the 2nd respondent informed the petitioner that physical applications were no longer being accepted and that only online applications would be entertained citing a change of procedure. Since the petitioner is a super senior citizen with disability, he is unable to operate a computer or other electronics devices on his own. Even then, the petitioner tried to apply through online for issuance of legal heir certificate, however he was not able to apply through online since he does not possess the details of Aadhar number. Therefore, he made several representations and notices to the respondents. Even thereafter, there has been no response of action from the respondents. Therefore, left with no other alternative, the petitioner has filed this writ petition before this Court for appropriate orders.



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4. Though very many grounds have been raised in this writ petition, learned counsel appearing for the petitioner submits that, it would suffice, if this Court issues a direction to the respondents to issue a legal heir certificate to the petitioner in respect of the deceased Miss.Mrudula R.Shah, who died on 02.08.2024, without insisting on giving the Aadhaar number of the petitioner, within a time frame that may be fixed by this Court.

5. Though it is the specific stand of the respondents that the physical applications are not entertained for issuance of legal heir certificate and only online applications are permitted, however considering the fact that the petitioner is a septuagenarian, aged about 69 years and is not conversent with the online filing process, for which reason alone, the petitioner has come before this Court, this Court sitting under Article 226 of Constitution of India could very well expand the scope of the petition and to render substantial justice pass necessary orders, as a special case.

6. Accordingly, this Court directs the respondents to receive the representation filed by the petitioner for issuance of legal heir certificate



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in physical mode from the petitioner, which representation shall be filed within a period of two (2) weeks from the date of receipt of a copy of this order. Upon receipt of the said representation, the respondents are directed to take necessary steps to pass orders on the said representation with regard to issuance of legal heir certificate considering the representation as one filed in digital mode and pass appropriate orders on the same, within a period of four (4) weeks thereafter.

7. The Writ Petition is disposed of in the above terms. However, it is made clear that this order shall not be treated as a precedent in any other proceedings. No costs.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes/No
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To

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M.DHANDAPANI, J.

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