



Writ Petition No.31729 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 25.08.2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Writ Petition No.31729 of 2025

C.B.Zeeta Louie,
W/o.P.J.John

..Petitioner

Vs.

1. The Revenue Divisional Officer,
Tiruvallur, Tiruvallur District.

2. The Revenue Tahsildar,
Tiruvallur Taluk, Tiruvallur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent made in Oo.Mu.5874/2025/A4, dated .06.2025, quash the same and consequentially direct the respondents to correct the date of death of Late Fr.Arulraj Balaswamy Carasala as 03.04.2025 instead of 04.03.2025 in the legal heir certificate No.TN-7202504221817 dated 05.05.2025 on the file of the 2nd respondent.

For Petitioner : Mr.V.Raghavachari, Senior Counsel
for Mr.P.Krishnan

For Respondents : Mr.G.Velu
Additional Government Pleader



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ORDER

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This writ petition has been filed challenging the impugned proceedings of the first respondent and for a consequential direction to the respondents to correct the date of death of the petitioner's brother Late Fr.Arulraj Balaswamy Carasala as 03.04.2025 instead of 04.03.2025 in the legal heirship certificate dated 05.05.2025 issued by the second respondent.

2. Heard Mr.V.Raghavachari, learned Senior Counsel appearing for petitioner and Mr.G.Velu, learned Additional Government Pleader appearing for respondents.

3. The case of the petitioner is that her brother is a Christian Priest, who took vow of celibacy and the petitioner's brother passed away in the USA on 03.04.2025. The petitioner, being the sister, applied for legal heirship certificate and the legal heirship certificate dated 05.05.2025 came to be issued by the second respondent. The petitioner found that the date of death was mentioned as 03.04.2025 instead of 04.03.2025. Hence, an application was submitted for correction of date of death. However, on receipt of application,



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the second respondent instead of correcting the date of death cancelled the legal heirship certificate itself. Aggrieved by the same, the present writ petition has been filed.

4. Learned Additional Government Pleader produced the written instructions received from the second respondent. In the written instructions, it is stated that an application was received from one A.M.S.Rita objecting to the issuance of legal heirship certificate to the petitioner stating that she is the wife of the deceased Fr.Arulraj Balaswamy Carasala. On receipt of such objection, it was thought fit to cancel the legal heirship certificate and to conduct an enquiry based on the representation given by the said A.M.S.Rita.

5. In the considered view of this Court, the complaint/representation given by A.M.S.Rita was not informed to the petitioner and the petitioner, who was expecting for the correction to be done in the legal heirship certificate, received a communication to the effect that the legal heirship certificate itself has been cancelled. This procedure adopted by the first respondent is clearly in violation of principles of natural justice. On that ground



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alone, this Court has to interfere with the impugned proceedings of the first respondent and accordingly, the same is hereby quashed.

6. The representation given by the said A.M.S.Rita has to be independently considered and that representation by itself cannot be a ground to cancel the earlier legal heirship certificate given after the demise of the petitioner's brother. Therefore, the legal heirship certificate shall be restored and necessary correction in the date of death shall be carried out and this process shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order. Insofar as the representation given by A.M.S.Rita is concerned, enquiry can be conducted independently by the respondents after affording opportunity to the petitioner and a decision can be taken as per law.

In the result, this writ petition is allowed with the above direction.

No costs.

25.08.2025

Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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N. ANAND VENKATESH, J.

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