



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2025

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CORAM :

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

Writ Petition No.34594 of 2024

G.Narayanasamy

.... Petitioner

.Vs.

1.District Collector
Collectorate of Chennai
Singaravelar Maaligai
62, Rajaji Salai
Chennai 600 001.

2.The Tahsildar
Egmore Taluk
No.88, Mayor Ramanathan Salai
Chetpet, Chennai 600 031.

3.Mrs.Loganayagi

.. Respondents

(R3 impleaded vide order dt.28.7.2025 made in
WMp.684/2025 in WP.34594/2024 by NAVJ)

Prayer: Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records in impugned order passed by the 2nd respondent in Application No.TN-7202104081414, transaction Reference No.TNCIT00003020548 dated 08.4.2021 and quash the same and consequently direct the 2nd respondent to issue legal heirship certificate to the petitioner, based on the petitioner's representation dated 28.11.2022, within a stipulated time as fixed by this Court.



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For Petitioner : Mr.B.Dinesh Kumar

For Respondents : Mr.R.Neelakandan
Additional Advocate General
Asst. by: Mr.S.Jayachandran
Government Advocate
for R1 & R2

ORDER

This writ petition has been filed challenging the on-line rejection order of the 2nd respondent and for a consequential direction to the 2nd respondent to act upon the application submitted by the petitioner and to issue legal heirship certificate to the petitioner.

2.The case of the petitioner is that he was married to one Sarasa. Through the wedlock, they had a girl child named Sanjana. The petitioner's wife died intestate on 21.01.2021, leaving behind the petitioner and his daughter. The petitioner applied for legal heirship certificate. The same was objected by the petitioner's mother-in-law. That apart, the petitioner's mother-in-law also filed a suit in OS.No.6463 of 2022, before the First Assistant City Civil Court, Chennai and the same was pending. Under such circumstances, the application submitted by the petitioner came to be rejected through the on-line rejection order. The same has been put to challenge in the present writ petition.



3. Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondents.

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4. In the considered view of this Court, the 2nd respondent does not deal with the inter se rights of the parties and what is given as a legal heirship certificate is only in the nature of a relationship certificate. On going through the materials placed before this Court, it is seen that the deceased Sarasa is the wife of the petitioner and through the wedlock, they had a daughter named Sanjana. Therefore, just because, mother-in-law objected to the legal heirship certificate being issued, the 2nd respondent cannot reject the application stating that there is an objection and there is a Civil Suit pending and therefore no legal heirship certificate will be given. Such a stand taken by the 2nd respondent is unsustainable.

5. In the light of the above discussion, there shall be a direction to the petitioner to submit a fresh application before the 2nd respondent by including the names of all the legal heirs. On receipt of the same, the 2nd respondent shall process the application and issue legal heirship certificate within a period of four weeks from the date of receipt of copy of the order. It is made clear that the issuance of legal heirship certificate has nothing to do with the dispute over the property between the petitioner and his mother-in-law. The same shall be considered on its own merits and in



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N.ANAND VENKATESH, J.

KP

accordance with law by the concerned Civil Court without being influenced by this order or the legal heirship certificate issued by the Tahsildar pursuant to this order.

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

28.07.2025

Index : Yes/No

NCS : Yes/No

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To

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