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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2025

CORAM :

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

Writ Petition No.34417 of 2024

S.M.Raju

.... Petitioner

.Vs.

1.The District Collector
Office of Collectorate
Krishnagiri District.

2.Revenue Divisional Officer
Krishnagiri District.

3.The Tahsildar
Tahsildar Office
Hosur Taluk
Krishnagiri District.

4.Village Administrative Officer
Belathur, Hosur Taluk
Krishnagiri District.

5.Rajamma

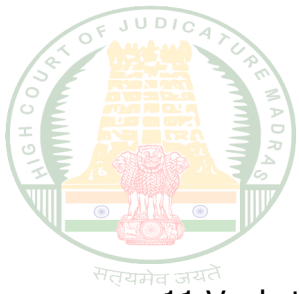
6.Chinnamma

7.Subramaniam

8.Chandramma

9.Govindan

10.Krishnan



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11.Venkatesh

12.Nagamma

13.Manjula

14.Geetha

15.Nirmala

16.Santhakumari

17.Parvathi

18.Padma

.. Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records of the impugned order dated 20.02.2024 in Moo.Mu.7372/2023B1 passed by the 3rd respondent and quash the same and also direct the 1st to 3rd respondents to issue Legal Heir Certificate based on the petitioner application dated 22.08.2023.

For Petitioner : Mr.G.Mohammed Aseef

For Respondents : Mr.S.Balamurugan
Government Advocate
for R1 to R4

Mr.S.R.Bharath Kumar
for R6, R7, R9, R10, R11 & R14



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ORDER

This writ petition has been filed challenging the impugned proceedings of the 3rd respondent dated 20.02.2024 and for a consequential direction to respondents 1 to 3, to issue legal heirship certificate based on the application submitted by the petitioner on 22.08.2023.

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

3. The case of the petitioner is that his grandfather Munusamy died on 21.01.2005. The said Munusamy had five children and one of them is his daughter viz., Jayamma, who is the mother of the petitioner. Apart from the petitioner, respondents 5 to 11 are also the legal heirs of the said Munusamy. While so, the 6th and 7th respondents approached the 4th respondent for family tree certificate and a family tree certificate was issued. Based on the same, they proceeded to execute partition deed among themselves. On coming to know of the same, the petitioner applied for legal heirship certificate of Munusamy on 22.08.2023. The said application was rejected by the 3rd respondent mainly on the ground that there was no proper understanding among the legal heirs and hence directed the legal heirs to approach



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the Civil Court. Aggrieved by the same, the present writ petition has been filed before this Court.

4. On carefully going through the records placed before this Court, it is seen that the petitioner's mother's name is Jayamma. She died on 5.12.1988. In the death certificate, her father's name has been mentioned as Chinna Munusamy. In the legal heirship certificate issued to Jeyamma, the name of the petitioner is found apart from three daughters. Munusamy died on 21.01.2005. Hence, the petitioner submitted an application for legal heirship certificate. The 3rd respondent is merely identifying the names of legal heirs and their relationship with the deceased. Therefore, the so called dispute between the parties need not stand in the way of the 3rd respondent conducting the enquiry. Hence, there shall be a direction to the petitioner to submit a fresh application before the 3rd respondent by mentioning the names of all legal heirs in the application. The 3rd respondent shall call the respective parties and conduct an enquiry and issue legal heirship certificate within a period of eight weeks from the date of receipt of the fresh application from the petitioner. Insofar as the dispute regarding the property, it is left open to the petitioner to workout his remedy in the manner known to law before the appropriate Court.



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

WEB COPY

28.07.2025

Index : Yes/No
NCS : Yes/No
KP

To

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N.ANAND VENKATESH, J.

KP

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