



W.P.No.38634 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 23.01.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.SOUNTHAR**

**W.P.No.38634 of 2024**

1. P.Kulandaiya
2. Gopalnayaki
3. P.Rajeswari
4. Anusiya
5. P.Appavoo
6. Kalaiyarasi

... Petitioners

**Vs.**

1. The Revenue Divisional Officer,  
Office of the Revenue Divisional Officer,  
Thiruvarur.
2. The Tahsildar,  
Valangaiman Taluk, Valangaiman,  
Thiruvarur District.

... Respondents

**Prayer:** Writ petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the second respondent in No.TN-7202406281929, dated 10.07.2024 quash the same and consequently, direct the second respondent to consider the petitioner's application dated 28.06.2024 for grant of legal heirship certificate.



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For Petitioner : Mr.C.Iyapparaj  
For Respondents : Mr.R.Neelakandan, Addl.Adv.General  
assisted by Mr.V.Ramesh, Govt.Adv.

### **ORDER**

The petitioners herein, filed the writ petition, challenging the order passed by the second respondent, rejecting the application filed by the first petitioner seeking issuance of Legal heirs certificate on the death of his sister Vijayalakshmi.

2. It is the case of the petitioners that they are all siblings of the deceased Vijayalakshmi and she died without any issues on 04.12.2022 and her husband predeceased her on 31.07.2014. It is also stated by the petitioners that, the parents of the deceased Vijayalakshmi also predeceased her. Therefore, according to the petitioners, they are the Class-II heirs of the deceased and hence, the first petitioner applied for issuance of legal heirs certificate. The said application was rejected by the second respondent, without any convincing reason. Aggrieved by the same, the petitioners have come before this Court.

3. A perusal of the impugned order, uploaded in the online portal



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would indicate that the second respondent has not given any specific reason for rejecting the application of the petitioners. He simply, based on the documents filed by the petitioners, rejected the application.

4. Mr.R.Neelakandan, learned Additional Advocate General appearing for the respondents would submit that if the petitioners file a fresh application seeking issuance of Legal Heirs Certificate, the same will be considered in accordance with law and as per G.O.(Ms) No.478, Revenue & Disaster Management, Revenue Administration Wing, RA-3(2) Section, dated 29.09.2022 and G.O.(Ms) No.110, Revenue & Disaster Management, Revenue Administration Wing, RA-3(2) Section dated 13.03.2024 and orders will be passed within a time stipulated by this court.

5. The learned counsel for the petitioners submits that the petitioners are willing to submit a fresh application for issue of legal heirs certificate.

5. In view of the fact that the impugned order does not contain



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any specific reason for rejection of the petitioners' request and also the fact that the request of the petitioners can be considered in the light of the above said Government Orders, this Court is inclined to set aside the impugned order. The petitioners are at liberty to file fresh application seeking legal heirs certificate.

6. Accordingly, the impugned order passed by the second respondent is set aside. The petitioners are directed to submit a fresh on-line application, seeking issuance of Legal Heirs Certificate, within two weeks from the date of receipt of copy of the order. If any such on-line application is submitted by the petitioners, the same shall be considered by the second respondent and final orders shall be passed on its own merits, in the light of Government Orders referred above, within six weeks from the date of receipt copy of on-line application, after giving reasonable opportunity to the petitioners and other interested parties.

7. With the above direction, this writ petition is allowed. There shall be no order as to costs.



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Index: Yes/No  
Internet: Yes/No  
mst

**To**

1. The Revenue Divisional Officer,  
Office of the Revenue Divisional Officer,  
Thiruvarur.
2. The Tahsildar,  
Valangaiman Taluk, Valangaiman,  
Thiruvarur District.



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**S.SOUNTHAR, J.**

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