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W.P.No.835 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 20.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.835 of 2025

A.Jayakumar

... Petitioner

Vs.

The Tahsildar, Vandavasi Taluk,
Thiruvannamalai District.

... Respondent

Prayer: Writ petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Mandamus, directing the respondent to issue Legal Heirship Certificate to the petitioner as per the Hindu Succession Act, 1956 on consideration of his online application bearing No.TN-720240824683, dated 24.08.2024 pending on the file of the respondent, within a stipulated fixed by this court.

For Petitioner : Mr.P.Venkatesan

For Respondent : Mr.R.Neelakandan,

Additional Advocate General,

Assisted by Mr.V.Ramesh, Govt.Advocate



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ORDER

The petitioner herein seeks a direction to the respondent to issue Legal Heirs Certificate to him by considering his online application bearing No.TN-720240824683, dated 24.08.2024.

2. The petitioner applied for issuance of Legal Heirs Certificate on the death of his mother's sister Rosebai ammal. The deceased got married one Jayapal, who predeceased her on 19.11.2012. Subsequently, Rosebai ammal also died on 01.02.2014 without any issue. Therefore, according to the petitioner, being sister's son of the deceased, the petitioner is entitled to get Legal Heirs Certificate, in his capacity as sister's son. Hence, he applied for issuance of Legal Heirs Certificate and the same has not been considered by the respondent. Therefore, the petitioner has come before this Court.

3. The learned counsel for the petitioner by relying on G.O.Ms.No. 110, Revenue and Disaster Management, Revenue Administration Wing, RA-3(2) Section, dated 13.03.2024, submits that if both spouses died, without children, parents of the deceased and the



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siblings of the deceased are entitled to get Legal Heirs Certificate. In the case on hand, the petitioner is the son of Saraswathi, who is one of the sisters of the deceased Rosebai Ammal. Therefore, there may not be any impediment for the respondent to issue Legal Heirs Certificate for the deceased by mentioning the name of the deceased Class-II heirs, who survive Rosebai Ammal.

4. Mr.R.Neelakandan, learned Additional Advocate General, assisted by Mr.V.Ramesh, learned Government Advocate, who takes notice for the respondent would submit that the online application submitted by the petitioner will be considered in the light of G.O.Ms.No.110, dated 13.03.2024, within a time stipulated by this Court.

5. A perusal of the G.O.Ms.No.110, dated 13.03.2024 would indicate that in case, both the spouses died without children, parents and siblings of the deceased are entitled to get Legal Heirs Certificate. In view of the same, the first respondent is directed to consider the online application of the petitioner in the light of G.O.Ms.No.110,



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dated 13.03.2024 and pass final orders on its own merits, within a period of six weeks from the date of receipt of copy of this order.

6. With the above direction, this writ petition is disposed of.

There shall be no order as to costs.

20.01.2025

Index:Yes/No
Internet:Yes/No
mst

To

The Tahsildar, Vandavasi Taluk,
Thiruvannamalai District.



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S.SOUNTHAR, J.

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