



W.P.(MD)No.611 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **09.01.2025**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.611 of 2025

M.Nagalakshmi

... Petitioner

Vs.

The Tahsildar,
Thiruchuli Taluk,
Virudhunagar District.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to issue legal heirship certificate of the petitioner's deceased son namely Jegadeesan by declaring the petitioner i.e., Nagalakshmi her husband Marichamy who are the parents of the deceased and Sumithra and Kishore Ram who are the wife and son of the deceased respectively by considering the petitioner's representation dated 17.12.2024.

For Petitioner	: Mr.G.R.Satish
For Respondent	: Mr.S.Kameshwaran, Government Advocate.



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ORDER

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This writ petition has been filed seeking for a direction to issue legal heir certificate to the petitioner with respect to her deceased son, namely, Jegadeesan, incorporating the names of the petitioner and her husband, Marichamy along with the names of the wife and the son of the deceased, namely, Sumithra and Kishore Ram, by considering the petitioner's representation dated 17.12.2024.

2. Heard the learned counsel on either side and perused the materials placed before this Court.

3. The petitioner's son namely, Jegadeesan, who was born on 24.09.1968 was later employed as Engineer in Singapore. He married one Sumithra. Out of the said wedlock, they were blessed with one male child, namely, Kishore Ram. The said Jegadeesan died on 05.04.2007 at Singapore due to cancer. After the death of the petitioner's son, his wife and son of the deceased, namely Sumithra and Kishore Ram, settled in Australia. In the meanwhile, the properties of the petitioner as well as her son in India have been managed by the petitioner and her husband. Now, the deceased Jegadeesan's wife and son have decided to sell a few of the properties in India, with the help



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of the petitioner and her husband, for which they have executed a power of attorney in favour of the petitioner. For the purpose of selling the properties, the legal heir certificate of the deceased Jegadeesan is a necessary document and hence, the petitioner made a representation dated 17.12.2024 in this regard.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondent to consider the same on its own merits and pass appropriate orders in one way or other instead of keeping the same pending indefinitely. As such, non-consideration of the representation made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India

5. The learned Government Advocate appearing for the respondent, on instructions submitted that the petitioner, to succeed in getting the legal heir certificate, should make the application online and on the representation of the petitioner, the legal heir certificate cannot be issued.

6. Recording the said submission, this Court hereby direct the petitioner to make an application in this regard online forthwith, with all necessary



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documents. On receipt of the same, the respondent is directed to issue legal
heir certificate if the application of the petitioner is otherwise eligible, within a
period of four weeks from the date of receipt of the online application.

7. With the aforesaid direction, this writ petition is disposed of. No
costs.

09.01.2025

NCC : Yes / No
Index : Yes / No
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TO:-

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The Tahsildar,
Thiruchuli Taluk,
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L.VICTORIA GOWRI, J.

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Order made in
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