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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.12.2025

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.35126 of 2025

O.Iqbal

...Petitioner

Vs

1. The District Collector,
District Collector Office,
Thanjavur District.

2. The Revenue Divisional Officer,
Revenue Divisional Office,
Near Government Hospital,
Dr.Moorthy Road,
Madalampettai,
Kumbakonam District.

3. The Tahsildar,
Office,
Thiruvidaimarudhur Taluk,
Thanjavur District.

Taluk

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to issue a revised legal heir certificate by including the petitioner as a legal heir of his father one Mr.Oli Mohamed by consider his representation dated 01.09.2025 and pass appropriate orders on merits and in accordance with law within a time stipulated time period fixed by this Court.



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For Petitioner : M/s.D.Gershon Gnanapaul
for Jerin Mathew

For Respondents : M/s.D.Farjana Ghoushia
Special Government Pleader

ORDER

The present writ petition has been filed seeking a mandamus as against the third respondent to issue a revised legal heir certificate by including the name of the petitioner as a legal heir of his father Mr.Oli Mohamed by considering his representation dated 01.09.2025.

2. According to the learned counsel appearing for the writ petitioner, he is an overseas citizen and he is permanently residing in Malaysia. His father, namely, Mr.Oli Mohamed had passed away on 17.07.1997. The authorities have issued legal heir certificate excluding his name though there is no dispute that he is the son of the deceased Mr.Oli Mohamed, primarily on the ground that the petitioner is not able to produce his Aadhar card.

3. The learned counsel appearing for the writ petitioner relied upon the OCI registration form issued by the authorities concerned to establish the fact that he is an overseas citizen and permanently residing in Malaysia. He also refers to a decision of this Court in W.P.No.14116 of 2025 dated 17.04.2025, wherein paragraph Nos.6 and 7 are extracted as follows:-

“6. Even as per clause 3, sub-clause 3 (vii) of the G.O.(Ms).No.478 dated 29.09.2022, any other similar



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document can also be accepted. The Government of India has issued S.O.585(E) which clearly states as follows:

“State Governments should ensure that the OCI registration booklets of OCIs are treated as their identification for any services rendered to them. In case proof of residence is required, Overseas Citizens of India may give an affidavit attested by a notary public stating that a particular/specific address may be treated as their place of residence in India, and may also in their affidavit give their overseas residential address as well as e-mail address, if any.”

7. Therefore, the Overseas Citizen of India (OCI) Card and the OCI booklet can also be taken as an identity document and the application can be considered. Since the online portal does not accept the said document, the physical application made by the petitioner may be considered, treating this as an extraordinary case.”

4. In view of the above said facts, the third respondent herein is directed to issue a revised legal heir certificate including the name of the petitioner on production of OCI registration form within a period of six weeks from the date of receipt of a copy of this order.

5. With the above said observations, this writ petition stands disposed of.

No costs.

08.12.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes/No

RJR

Note: Issue order copy on 09.12.2025.



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R.VIJAYAKUMAR, J.

RJR

To

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