



WEB COPY

WP No. 3321 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-02-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 3321 of 2026

AND

WMP NO. 3758 OF 2026

Ganansoundary
W/o.Thirumoorthysamy
No.20, Elango street,
Bagavathipalayam
Kinathukadavu, Coimbatore
Tamil Nadu.

..Petitioner(s)

Vs

1. The District Collector
District Collector Office
Coimbatore District.
2. The Tahsildar
Pollachi Taluk Office
Pollachi, Coimbatore District.
3. The Village Administrative officer
Village Administrative Office
Odaiyakulam village
Pollachi, Coimbatore.

..Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for records relating to impugned order of the 2nd respondent in Application No. TN-720251119205 and quash the same as illegal and consequently direct the 2nd respondent to issue legal heir certificate for deceased Venugopal son of Ramasamy within the time limit stipulated by this Court and pass orders.



For Petitioner(s):

Mr.K.Vigneshwaran

For Respondent(s):

Mr.R.Neelakandan

Additional Advocate General

Assisted by Mr.Yogesh Kannadasan

Special Government Pleader for R1 to R3

ORDER

The petitioner who is aggrieved by the rejection order of the second respondent as against the application filed by her seeking issuance of Legal heir Certificate, as the Class-II legal heirs of his deceased brother Venugopal, is before this Court.

2. The case of the petitioner is that she was born to one Ramasamy Gounder and Subbathal. The couple had 5 children namely Lakshmaiyan @ Lakshmipathi, Bhuvaneshwaran, Venugopal, Amaravathi and the petitioner herein. All children of Ramasamy Gounder got married. Except Venugopal, the other two sons of Ramasamy Gounder had children to inherit their estate. According to the petitioner, her parents had died in the year 1965 and 1967 respectively. Her elder brother Lakshmaiyan had died on 28.02.1997; her second brother Bhuvaneshwaran had died on 11.05.1997 and her last brother Venugopal had died on 01.10.2023. The wife of said Venugopal had pre-deceased him on 04.03.2006.



3. The petitioner herein had applied for the legal heirship certificate of the deceased Venugopal on 19.11.2025 through e-portal. The claim of the petitioner was rejected by the second respondent directing them to approach the civil Court as they are the Class-II Legal Heirs of Venugopal.

4. The petitioner would contend that the ground for rejection is *per se* erroneous in the light of the Government Orders in G.O.(Ms) No.110 (Revenue and Disaster Management Department) dated 13.03.2024.

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

6. Clause 2(E) of G.O.(Ms) No.110 (Revenue and Disaster Management Department) dated 13.03.2024 reads as follows :

“ 2. Legal Heirship (Relationship) Certificate shall be issued to the applicant(s) irrespective of the Religions / Gender, with the name of the following persons; their relationship with the deceased and their living status :

(E) If both spouses died, without Children :

i. Parents of the deceased

ii. Siblings (Brothers and Sisters) of the deceased”

Therefore, the petitioner being the Clause-II legal heir as per the Hindu Succession Act, she is entitled to receive the legal heirship certificate of



deceased Venugopal, as his legal heirs.

7. In the light of the above, the writ petition is allowed and the impugned order of the second respondent is set aside. Taking into account that the deceased Venugopal, has no surviving legal heirs, and also the petitioner had admitted in the affidavit that she and her sister Amaravathi are the surviving legal heirs of the deceased Venugopal, the second respondent shall reconsider the application submitted by the petitioner on 19.11.2025, afford an opportunity of hearing to the petitioner and also to the other interested persons, if necessary, and thereafter, issue legal heirship certificate to the petitioner, declaring her as the immediate Class-II legal heirs of deceased Venugopal, within a period of three weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

05-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

DS



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