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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-08-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.32241 of 2026
and
W.M.P.No.35415 of 2026

S.Venkatesh

..Petitioner(s)

Vs

The Tahsildar
Cuddalore Taluk,
Cuddalore Tahsildar Office,
Silver Beach Road,
Cuddalore District – 607 001.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the respondent vide Application No.TN-720250117531, dated 17.01.2025 and to quash the same as illegal and consequently direct the respondent to issue legal heir certificate in favour of the petitioner as legal heir of his mother late Mrs.Kuppabai.

For Petitioner(s): Mr.M.Kathirvel

For Respondent(s): Mrs.Inthu Karunakaran
Special Government Pleader

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ORDER

The prayer in this Writ Petition is to challenge the order dated 07.01.2025 and consequently direct the respondent to issue a legal heir certificate in favour of the petitioner as the legal heirs of his late mother Mrs.Kuppabai.

2. Heard the learned counsel for the petitioner and perused the material records of the case.

3. It can be seen that the said Mrs.Kuppabai, the mother of the petitioner, died on 30.10.1970 and a death certificate has also been issued by the Cuddalore Municipality.

4. Now that the legal heirship certificate is sought for, the same was rejected on the ground that the death occurred more than 50 years ago and the correct legal persons could not be identified.

5. When the matter came up for hearing, the learned Special Government Pleader for the respondent, on instructions, would submit that while the petitioner claims to be the sole legal heir, the name of the said Mrs.Kuppabai is not mentioned as the wife in his father's death certificate. Therefore, they

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sought further details and documents relating to his father, which were not produced by the petitioner, resulting in the issuance of the impugned order.

6. I have considered the rival submissions made on either side and perused the material records of the case.

7. When the death occurred 50 years ago, no exception can be taken to the approach of the respondent in asking for additional documents. At the same time, when the death of the said person is admitted and the death has already been recorded, there should not be any difficulty in granting the legal heirship certificate by conducting a due enquiry in that regard. The certificate can be issued on the basis of relevant Government Orders by mentioning the relations who survived the said Mrs.Kuppabai as on the date of her death.

8. Admittedly, the petitioner claims to be the only child born out of the said wedlock between Mrs.Kuppabai and Sarangapani.

9. In the said circumstances, this Writ Petition is disposed of on the following terms:-

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(i)The impugned order dated 17.01.2025 shall stands quashed and the matter shall be remitted back to the file of the respondent;

(ii)The petitioner shall produce documents relating to his father, including information as to whether his father remarried and whether there are any other legal heirs;

(iii)The respondent shall conduct an inquiry, including a local inquiry through the VAO to ascertain the surviving relations left by the said Mrs.Kuppabai as on the date of her death, Whosoever falls within the category of relations as mentioned in the relevant Government Order shall be specified and the legal heirship certificate shall be issued accordingly and

(iv)The aforesaid exercise shall be completed within a period of 3 months from the date of receipt of the web copy of the order.

(v)The petitioner shall also file an affidavit stating that the information produced by the petitioner is true and correct and that he shall be held responsible for any false or incorrect information. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

14-08-2026

Neutral Citation: No
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To

The Tahsildar
Cuddalore Taluk,
Cuddalore Tahsildar Office,
Silver Beach Road,
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D.BHARATHA CHAKRAVARTHY, J.

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