

IN THE COURT OF DISTRICT MUNSIF, SRIPERUMBUDUR
PRESENT: TR. P. JAGADEESWARAN BA.,BL.,
DISTRICT MUNSIF, SRIPERUMBUDUR

On Friday, the 24th day of April 2026.

O.S.No. 139 of 2024

1. G.Subbulakshmi
 2. G.Ramesh
 3. G.Suresh
 4. G.Ravi
- ...Plaintiffs

//Versus//

1. The Tahsildar, Sriperumbudur
 2. The District Collector, Kanchipuram
- ... Defendants

This suit has come up on 12.03.2026 for final hearing before me in the presence of M/s.R.Arjunan, K.Kalaimani, Learned Counsel for the Plaintiffs and M/s.M.B.Velumurugan, Government Pleader, and upon hearing the arguments of both sides and upon perusing the connected material records and having stood over till this day for consideration, this court delivers the following:

JUDGMENT

1. This suit is filed seeking for declaration declaring that the Plaintiffs are the only legal heirs of deceased Ellaiah @ Ellukhan died on 10.04.1975, to direct the defendant to issue the legal heir certificate of Ellaiah @ Ellukhan and for costs.

2. CONCISE STATEMENT OF THE PLAINTIFF AS PER THE PLAINT :

The plaintiffs state that Ellaiah @ Ellukhan, father-in-law of the 1st plaintiff and grandfather of plaintiffs 2 to 4, died on 10.04.1975. His wife Nagammal died on 09.10.1981, and their only son Munusamy died on 04.08.2005. After Munusamy's death, his wife Subbulakshmi and sons Ramesh, Suresh, and Ravi are the surviving legal heirs. They further state that Ellaiah's father Venkatikhan and mother Muniammal also died intestate. The plaintiffs submit that Ellaiah @ Ellukhan died without leaving any Will, and despite careful search, no Will was found. The 2nd plaintiff applied on 11.09.2023 for a legal heir certificate before the 1st defendant. The 1st plaintiff also submitted a similar application on the same date. However, the 1st defendant rejected the request stating that the plaintiffs were not direct legal heirs and advised them to approach the Court. The plaintiffs contend that they had produced all necessary documents and the certificate ought to have been issued to them. Hence this suit.

3. CONCISE STATEMENT OF THE DEFENDANT AS PER THE WRITTEN STATEMENT:

The 1st Defendant humbly submits that he denies the entire allegations contained in the plaint except those that are specifically admitted herein as true and the plaintiffs are put to strict proof of the facts alleged by them in the plaint. The 1st Defendant submits that he denies the averments contained in the Plaint that the family details and the marital particulars are not properly explained and

the plaintiffs are put to strict proof of the same. The 1st Defendant submits that he denies that the plaintiffs are the Legal heirs of the deceased Ellaiah @ Ellukhan and the plaintiffs are put to strict proof of the same, further the plaintiffs have to establish their relationship between them with Ellaiah @ Ellukhan by furnishing supportive documents and evidences. The 1st Defendant submits that the relief claimed by the plaintiffs in this suit is not maintainable and these plaintiffs are not entitled to claim legal heirship certificate of deceased Ellaiah@ Ellukhan according to Hindu Succession Act. The 1st Defendant submits that there are no supportive documents filed by the plaintiffs to prove the plaint averments, further the plaintiffs have not provided all required particulars about their family, the plaintiffs suppressed many material facts and approached this Hon'ble Court with unclean hands, further this plaint is filed with insufficient data. The 1st Defendant submits that there is no cause of action for filing this suit and the suit prayer and list of documents, all are unsustainable in the eye of law. The 1st Defendant submits that the suit averments and the suit prayer all are unsustainable in the eye of law. Hence it is prayed that this Hon'ble court may be pleased to dismiss the suit with exemplary cost.

4. ISSUES :

- 1. Whether the Plaintiff is entitled to declare that the Plaintiffs are the only legal heir of deceased Ellaiah @ Ellukhan died on 10.04.1975 ?*
- 2. Whether the Plaintiff is entitled to direct the defendant to issue the legal heir certificate of Ellaiah @ Ellukhan ?*

3. *To What other relief/reliefs the Parties are entitled?*

5. DISCUSSION AND FINDINGS :

Heard the Both sides argument and perused and considered the materials on record in proper perspective.

6. Case of the Plaintiff – The 2nd Plaintiff examined himself as PW1 and deposed that Ellaiah @ Ellukhan, father-in-law of the 1st plaintiff and grandfather of plaintiffs 2 to 4, died on 10.04.1975. His wife Nagammal died on 09.10.1981, and their only son Munusamy died on 04.08.2005. After Munusamy's death, his wife Subbulakshmi and sons Ramesh, Suresh, and Ravi are the surviving legal heirs. They further deposed that Ellaiah's father Venkatikhan and mother Muniammal also died intestate. The PW1 deposed that Ellaiah @ Ellukhan died without leaving any Will, and despite careful search, no Will was found. The 2nd plaintiff applied on 11.09.2023 for a legal heir certificate before the 1st defendant. The 1st plaintiff also submitted a similar application on the same date. However, the 1st defendant rejected the request stating that the plaintiffs were not direct legal heirs and advised them to approach the Court. The plaintiffs contend that they had produced all necessary documents and the certificate ought to have been issued to them.

7. Case of the Defendants:

On contra, the 1st Defendant submits that he denies the averments contained in the Plaint that the family details and the marital particulars are not properly explained and the plaintiffs are put to strict proof of the same. The 1st Defendant

submits that there is no cause of action for filing this suit and the suit prayer and list of documents, all are unsustainable in the eye of law. The 1st Defendant submits that the suit averments and the suit prayer all are unsustainable in the eye of law. Hence it is prayed that this Hon'ble court may be pleased to dismiss the suit with exemplary cost.

8. Evidence of the Plaintiff : 2nd Plaintiff himself examined as PW1 and marked Ex.A1 to A8 through him. Ex.A1 is the death certificate of Venkatan. Ex.A2 is the death certificate of Muniammal. Ex.A3 is the death certificate of Ellaiah. Ex.A4 is the death certificate of Nagammal. Ex.A5 is the death certificate of Munusamy. Ex.A6 is the legal heir certificate of Munusamy. Ex.A7 is the aadhar card of 1st Plaintiff. Ex.A8 is the rejection order passed by the 1st defendant.

9. On contra, defendant does not lend any evidence but cross examined the PW1 to disprove the facts.

10. Upon perusal of the Ex.A8 is the rejection order passed by the 1st defendant for the reason stating that the petitioners are residing in Andhra Pradesh and the petitioner are not at all direct legal heirs to the defendant Ellaiah @ Ellukhan. In the cross examination of PW1 and as per Ex.A6 it is proved that PW1 father namely Munusamy is the 1st class legal heirs to the deceased Ellaiah @ Ellukhan and Ex.A6 clearly proves that 1 to 4 Plaintiff's herein are the legal heirs to the deceased Munusamy therefore it is clear that plaintiff 2 to 4 are the grandsons of deceased Ellaiah @ Ellukhan and 1st Plaintiff is the daughter in law to the

deceased Elliah @ Ellukhan.

11. From the discussions above, Plaintiff 1 to 4 are the legal heirs of deceased Ellaiah @ Ellukhan. For the reason stated above this suit is decreed in favour of the Plaintiffs.

12. **RESULT :**

In the result this suit is decreed as follows :

(i) that the Plaintiffs are declared as the only legal heirs of deceased Ellaiah @ Ellukhan

(ii) that the defendnat is directed to issue the legal heir certificate to Ellaiah @ Ellukhan

(iii) No order as to costs.

Dictated to the steno typist, who directly typed the same in her Computer, corrected and pronounced by me in open court, this the 24th day April 2026.

(Sd/-Jagadeeswaran.P)

**DISTRICT MUNSIF,
SRIPERUMBUDUR.**

Plaintiff's side Witness:

PW1 – Ramesh (2nd Plaintiff)

Plaintiff's side Exhibits:

Ex.A1	31.01.2014	Death certificate of Vekitikhan	Original
Ex.A2	09.08.2016	Death certificate of Muniammal	Original
Ex.A3	07.10.2016	Death certificate of Ellaiah	Original

Ex.A4	16.10.2016	Death certificate of Nagammal	Original
Ex.A5	18.08.2014	Death certificate of Munusamy	Original
Ex.A6		Legal heirship certificate of Munusamy	Original
Ex.A7		Aadhar card of the 1 st Plaintiff	Verified with Original
Ex.A8	11.09.2023	Order passed by the 1 st defendant	Original

Defendant's Side Witness & Exhibits: NIL

(Sd/-Jagadeeswaran.P)
**DISTRICT MUNSIF,
SRIPERUMBUDUR.**