

Circular No. 11 /2017
Rc. No. RA.5(3) /180 / 2017

Revenue Administration
Disaster Management and
Mitigation Department
Chepauk, Chennai – 600 005.

Dated 09.08.2017.

Present: Dr. K. Satya Gopal, I.A.S.,
Principal Secretary /
Commissioner of Revenue Administration

CIRCULAR

Sub: Legal heirship Certificate – Issuance of
Legal heirship Certificate through online –
Certain Instructions issued – Reg.

- Ref: 1) G.O. (Ms.) No.2906/Rev.Dept. dated
04.11.1981.
2) G.O. Ms. No.581/ Rev. Dept. dated
03.04.1987.
3) The Govt. Lr. No.1534/Rev. Dept.
dated 28.11.1991.

The Government have issued detailed instructions vide G.O. (Ms.) No.2906, Revenue Department dated 04.11.1981, G.O. (Ms.) No.581, Revenue Department dated 03.04.1987 and Government letter No.1534, Revenue Department dated 28.11.1991 on the guidelines to be followed for issue of Legal heir Certificate manually.

2) It is proposed to issue the Legal heir Certificate through online web based application in addition to the other Revenue certificates. In order to enable quicker processing and for effective implementation, the following procedures and guidelines are issued to be followed.

3) Direct Legal heir

Direct Legal heirs are sons, daughters, husband, widows, mothers, sons of a pre-deceased son, widows of a pre-deceased son, son of a pre-deceased son of a predeceased son, and widows of a pre-deceased son of a predeceased son. Son of a pre-deceased daughter of a pre-deceased daughter, daughter of a pre-deceased daughter of a pre-deceased daughter, daughter of a pre-deceased son of a pre-deceased daughter, daughter of a pre-deceased daughter of a pre-deceased son.

4) Procedure to be followed

Legal heir certificates shall be issued by Tahsildars for all direct legal heirs applying for certificate through online. The petitioner can apply electronically from any of the CSCs or online to the Tahsildar in whose jurisdiction, the deceased person ordinarily resided before his death. (If the person has resided for less than 6 months, then the Tahsildar shall obtain a report from the Tahsildar in whose jurisdiction the deceased resided for more than a year).

5) The applicant should compulsorily submit the following details while submitting the application

- Death certificate of the deceased or Late Registration Certificate from RDO.
- Any one of the following documents should be submitted as Proof of residence of the deceased person
 - (i) Aadhaar Card
 - (ii) Voter ID Card
 - (iii) Passport
 - (iv) Bank Pass Book / Postal Savings Book
 - (v) Driving License
 - (vi) Pension payment Order

5-1) If any one spouse survives – then they shall be the applicant and submit the following documents :

- Marriage Registration Certificate or Passport or Voter ID or Aadhaar cards or NPR document should be submitted to establish relationship.
- Birth Certificate of all children or T.C. of all children.
- Self declaration of the spouse indicating all other legal heirs (including Mother-in-law if wife is the applicant).

5-2) If parents are deceased, then any one child shall be the applicant and submit the following documents.

a) If applicant is a Major

- Death certificate of the parents
- Birth certificate or Community Certificate or Passport or Aadhaar (all eligible heirs) or T.C. or NPR or Employee Service Record.

b) If applicant is a Minor, Guardian can apply and submit the following documents.

- Death certificate of the parents
- Birth certificate or T.C. or NPR or Employee Service Record or Community certificate or Passport or Voter ID or Aadhaar of all eligible heirs

- Guardianship order issued by the Hon'ble Civil Court to prove relationship to the heirs.

5-3) In case of unmarried Children - Parents or Siblings shall be the applicant and submit the following documents.

- Death certificate of deceased
- Any proof to establish relationship of deceased (i.e) Birth certificate / T.C. of deceased etc.
- Self-declaration of the parents / siblings

6) Legal heir applications will be processed by the following system

On an application fee of Rs. 60/-, the applicant shall apply at the CSC or online, the certificate will be issued within 15 working days.

The work flow will be CSC →VAO→RI→ HQDT→ Tahsildar

The VAO must verify the documents and recommend with reasons for acceptance or rejection and forward to the Revenue Inspector in 5 Days Revenue Inspector has to enquire in 4 days and the certificate will be issued by Tahsildar in 6 days on receipt of report from the RI after conducting necessary enquiry.

The applicant can download the legal certificate from CSC or from anywhere on receipt of an SMS.

The District website should have an exclusive window for viewing Taluk wise issued legal heirship certificates.

A copy of the issued legal heir certificate should be marked to Department of Registration to be linked to the Reginet Software.

7) General instructions:-

Tahsildars shall not issue legal heir certificates for the following cases and to inform the applicants to approach the Competent Court for obtaining the legal heir certificates.

- (i) If more than one wife / husband exist for the deceased
- (ii) When there is a dispute for settlement / partition of properties of the deceased
- (iii) In case of the person treated as death who is missing for the period of 7 years or staying away from the family.
- (iv) In the case of adopted child or No children
- (v) No certificate shall be issued under Indian Succession Act, 1925

8) Appeal Provision:-

If any legal heir disputes the issued legal heir certificate, an appeal petition shall be filed to the respective Revenue Divisional Officer within a period of one year from the date of issue of the certificate for making alterations, corrections – deletions or inclusions.

9) Power of Revision

The power of revision lies with the District Collector and Revision Petition shall be filed by the applicant within a period of 3 years from the date of issue of the appeal order.

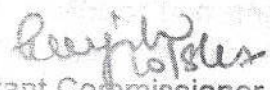
All the District Collectors are instructed to follow the circular and communicate to the concerned subordinate officers and instruct them to follow the procedures and guidelines scrupulously without fail. The receipt of the circular may be acknowledged.

Sd/- K. Satyagopal
Principal Secretary /
Commissioner of Revenue Administration

To
The District Collectors
All Districts.

Copy to:

1. The Secretary to Government,
Revenue Department, Secretariat, Chennai – 9.
2. The Commissioner of e-Governance,
Directorate of e-Governance,
Kavignar Bharathidasan Road, Alwarpet, Chennai – 16
3. Deputy Commissioner (SSS)
4. Assistant Commissioner (I, II, III, IV, V & VI)
5. Personal Secretary to CRA,
6. Personal Assistant to JC (RA)
7. Personal Assistant to Director (SSS)


Assistant Commissioner - VI
for Principal Secretary /
Commissioner of Revenue Administration


10/12/17