

IN THE HIGH COURT OF ANDHRA PRADESH



AT AMARAVATI

[3311]

(Special Original Jurisdiction)

Wednesday, the eighth day of July two thousand and twenty six

Present

The Honourable Ms. Justice B. S. Bhanumathi

Writ Petition No.14703 of 2026

Between:

Mandula Khasim Bi, W/o. Khadar Mastan, Aged about 68 years,
R/o. D.No.2-26, Vipparla, Rompicherla Mandal, Guntur District.

...Petitioner

and

1. The State of Andhra Pradesh, rep. by Principal Secretary, Revenue Department, Government of A.P., Secretariat Buildings, Velagapudi, Amaravati, Guntur.
2. The Collector & District Magistrate, Palnadu District, Narasaraopet.
3. The Revenue Divisional Officer, Narasaraopet, Palnadu District.
4. The Tahsildar, Rompicherla Mandal, Palnadu District.

....Respondents

Counsel for the petitioner:

1. Ratan Mohan Medida

Counsel for the respondents:

1. G.P. for Revenue

The Court made the following:

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“...to issue a writ, order or direction, more particularly one in the nature of writ of Mandamus, declaring the action of the respondent No.4 in issuing the impugned endorsement in Rc. No. 386 / 2025-A, dated 24.01.2026, rejecting the petitioner’s application for issuance of a Family Member Certificate, on the ground that the petitioner / mother cannot be treated as a family member of her deceased married son and without affording any opportunity of hearing to the petitioner, as illegal, arbitrary, unjust, violative of principles of natural justice and violative of Articles 14 and 21 of the Constitution of India, and consequently set aside the said impugned endorsement and direct the respondents, particularly the respondent No.4, to issue a Family Member Certificate by including the name of the petitioner as mother of the deceased, after issuing notice to all concerned and conducting due enquiry, within the time fixed by this Court, and pass such other order or orders as this Court may deem fit and proper in the circumstances of the case.”

2. The case of the petitioner, in brief, is as follows:

The petitioner is the mother of Mandula Moulali, a Police Constable, who died committing suicide on 01.06.2025. The petitioner submitted an application, dated 01.06.2025, to the respondent No.4

through online / Meeseva, vide application No. FMC25101005124, to issue a family member certificate for the purpose of availing legal benefits. The petitioner was shown as nominee in the service record of Mandula Moulali. On the application of the petitioner, instead of conducting a proper enquiry by issuing notice to the petitioner and all parties concerned, the respondent No. 4 rejected the request of the petitioner, vide endorsement in Rc.No.386/2025-A, dated 24.01.2026, on the ground that there were certain family disputes and that a suit in O.S. No. 76 of 2025 was pending before a competent civil Court. The petitioner, being a mother, is entitled to a family member certificate. Hence, this writ petition was filed challenging the endorsement.

3. The learned Assistant Government Pleader for Revenue placed on record a copy of the written instructions of the respondent No. 4 vide Roc. No. 386/2025-A, dated 14.06.2026, wherein it was mentioned as follows:

“On perusal of the available records, the petitioner i.e., Smt. Mandula Khasim Bi, W/o. Khadar Mastan is the ordinary resident of Vipparla village of Rompicherla Mandal, of Palnadu District. The petitioner's son was selected as Police Constable and working in A.P.S.P. Battalion, Venkatagiri of Tirupathi District. The petitioner performed marriage of her son, Mandula Moulali, on 09.11.2023 with Shaik Fathima, R/o. Maruthi Nagar, Guntur.

Due to family disputes, Sri Mandula Moulali had filed a divorce petition in O.S.No.76 of 2025 before the Narasaraopet Court on 07.01.2025. While the said case was still pending, he committed suicide and died on

01.06.2025 in an agricultural field situated at Chinna Kothapalli Village, Addanki Mandal, Bapatla District. In view of the death of Sri Mandula Moulali, the Hon'ble I Additional Junior Civil Judge Court dismissed the divorce petition in O.S.No.76 of 2025 pending before it.

Further, Smt. Shaik Kasimbi, W/o. Khader Mastan submitted an application for issuance of a Family Member Certificate for the purpose of claiming the death benefits of her deceased son. However, the Tahsildar office, Rompicherla reported that since Sri Mandula Moulali was married, his mother cannot be issued a Family Member Certificate in respect of him.

Therefore, in view of the above circumstances, after the marriage of Sri Mandula Moulali, S/o. Khader Mastan, only his wife and children (if any) can be considered as his family members. Further, the Hon'ble Court has dismissed the divorce petition filed by Sri Mandula Moulali. Hence, if his wife, Smt. Shaik Fathima applies for a Family Member Certificate, the same may be considered and issued to her, subject to eligibility, after due enquiry. As per Government rules, the mother of a married son cannot be considered as a family member for the purpose of issuing a Family Member Certificate.

Accordingly, as per the existing rules, it is hereby informed through this endorsement that the request of the applicant, Smt. Shaik Kasim Bi, W/o. Khader Mastan (mother of the deceased Sri Mandula Moulali), for issuance of a Family Member Certificate is rejected by

this office as it is not permissible to issue the said certificate to her.

The petitioner did not request inclusion of her name along with the deceased's wife in the Family Member Certificate and sought issuance of the Family Member Certificate including only her family members, excluding the deceased's wife.

However, as per G.O.Ms.No.58, dated 11.12.2023, if the applicant has any objection regarding this decision, she has an opportunity to prefer an appeal before the Collector & District Magistrate. Instead of availing the said appeal remedy, the petitioner without approaching the Collector & District Magistrate, directly filed a writ petition before the Hon'ble High Court."

4. The learned counsel for the petitioner submitted that as per G.O. Ms. No.145, Revenue (SER.II) Department, dated 25.04.2015, a family member certificate may be issued by the Tahsildar on the death of a government servant and to the members of the general public for applying for government schemes and other purposes, subject to the procedure and precautions mentioned therein, which read as follows:

"Procedure:

- i) On an application made through Meeseva, the Tahsildar shall issue Family Member Certificate, provided there is no written objection from any other member of the family.

- ii) Such certificate issued shall be a document stating the factual relationship of the deceased with the applicant and other family members.
- iii) The Aadhar number of all the family members as well as the deceased shall be mentioned in the Certificate.
- iv) Such certificate shall be issued without mentioning any specific purpose for which it is issued.
- v) An application for such certificate must be made along with the following documents:
 - a. A notarized affidavit containing Name, Age and Relationship with the deceased.
 - b. Death Certificate of the deceased.
 - c. Document (Ration card / Voter ID Card / Passport / Passbook, Aadhar cards, etc.) indicating the relationship of the applicant with the deceased.
- vi) On receipt of such application, the Tahsildar shall publish a (7) seven days notice in the Village / Ward.
- vii) After the expiry of the notice period, the Tahsildar or any other officer deputed by him shall conduct enquiry and record panchanama, based on which the Tahsildar shall either issue the certificate or reject the same.
- viii) This final order of acceptance or rejection shall be given within (15) days from the date of receipt of application through Meeseva.

Precautions:- (To be printed as disclaimer on the Certificate)

- 1) It should be clearly specified that Family Member Certificate is not a Legal Heir Certificate.
- 2) It shall not be in lieu of Legal Heir Certificates that will be required to be produced in Civil Court matter.”

5. She further submitted that a mother, being a family member, in addition to wife and children, if any, of a deceased person, is entitled to a family member certificate, and therefore, the same cannot be rejected, if the wife and others do not choose to apply for a certificate. She further submitted that if required, upon enquiries, the names of the other family members may be included in the certificate, but it cannot be rejected on the sole ground that the petitioner alone cannot be a member in the certificate. She further submitted that since the procedure adopted by the respondent No. 4 is illegal, a writ petition can be filed, even if an appeal is provided under the procedure.

6. As the petitioner claims to be the nominee to the service benefits of her son, she might have applied for a family member certificate. Apart from being nominee, the petitioner, being the mother of the deceased government employee, even in the presence of wife or / and child / children of the deceased employee, is a legal heir and a family member. As such, the petitioner can apply for issuance of a family member certificate. After conducting an enquiry by following the above stated procedure, if at all, any other family member (s) is / are found to be entitled to such certificate, he / she / they may also be included in the certificate, along with the mother of the deceased employee, but she cannot be made to wait for issuance of the certificate till the wife chooses to seek a family member certificate as indicated in the

endorsement (wherein it was stated that the family member certificate would be issued if the wife of the deceased applies for such certificate). Therefore, the impugned endorsement is apparently illegal and is liable to be set aside.

7. In the result, the writ petition is allowed and the impugned endorsement in Rc. No. 386 / 2025-A, dated 24.01.2026, is set aside. The respondent No.4 is directed to follow the procedure indicated in G.O. Ms. No.145, Revenue (SER.II) Department, dated 25.04.2015, and issue the Family Member Certificate to the petitioner, if found to be the mother of the deceased, along with the names of the other members of the family, if any.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

B. S. BHANUMATHI, J

Dt.08.07.2026
RAR

Whether the order is:

Speaking Yes/No / Reasoned Yes/No

Reportable Yes/No / Non-Reportable Yes/No