



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2026

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THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

**WP No.24756 of 2026
and
WMP No.26978 of 2026**

1. Vijayakumar
2. Rukmani

..Petitioner(s)

Vs

1. The District Collector
O/o.District Collector,
Tiruppur – 641604.
2. The Tahsildar
O/o.Tahsildar,
Avinashi, Tiruppur - 641654.

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorarified Mandamus, calling for the records pertaining to rejection order of legal heir certificate application in TN-720251107987 passed by second respondent and quash the same as illegal and consequently direct second respondent to issue legal heir certificate to petitioners in view of online application dated 07.11.2025.

For Petitioner(s): Mr.P.Tamilavel

For Respondent(s): Mr.P.Elayaraj Kumar
Government Counsel

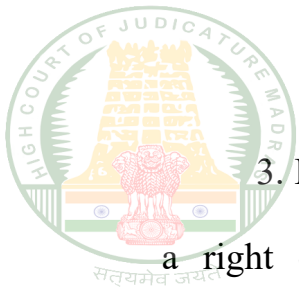


ORDER

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The present writ petition has been filed challenging the rejection of their request for issuance of legal heir certificate on the short ground that no enquiry whatsoever was made and thereby the impugned order suffers from violation of principles of natural justice.

2. Petitioner would submit that his father Palanisamy Gounder married Rukmani/petitioner's mother on 14.09.1973. Petitioner was born out of wedlock. There were differences between petitioner's father and his mother, who lived separately for over 30 years. Petitioner's father died on 05.07.2025. Petitioner along with his mother made an application in TN-720251107987 dated 07.11.2025, seeking issuance of legal heirship certificate before second respondent along with requisite documents. However, request for legal heirship certificate was rejected. Petitioner would submit that he was not even served with order of rejection of the legal heirship application and it is only on application under Right to Information Act, petitioner came to know about the said rejection. He would submit that rejection of petitioner's application without even an enquiry with petitioner is unsustainable inasmuch as it violates principles of natural justice.



3. Learned State counsel for respondents would submit that petitioner has a right of appeal in terms of G.O.(Ms) No.478, Revenue & Disaster Management, Revenue Administration Win, RA-3(2) dated 29.09.2022.

4. Having considered the submission of either side, this Court is of the view that there is merit in the submission of learned counsel for petitioner inasmuch as application has been rejected without even conducting any enquiry.

5. This Court is conscious that when there is an effective alternative remedy that is available, this Court would be loathe in interfering under Article 226. However, the Rule of alternate remedy is a self imposed restriction and does not constitute a bar for exercise of power under Article 226. It is equally trite that whenever the complaint is one of violation of principles of natural justice or lack of jurisdiction, this Court would exercise its discretion under Article 226. Non-consideration of the objections certainly would vitiate the order on the ground of violation of principles of natural justice.

6. In view thereof, impugned order dated 19.03.2026 is set aside. Second respondent is directed to consider petitioner's application dated 07.11.2025 on its own merits and pass orders afresh, in accordance with law, after affording reasonable opportunity of hearing to petitioner, within a period of six weeks from the date of uploading of web copy without waiting for the receipt of



certified copy.

WP No. 24756 of 2



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7. Accordingly, writ petition stands disposed of. There will be no order as to costs. Consequently, connected miscellaneous petition is closed.

30-06-2026

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

To

1. The District Collector
O/o.District Collector,
Tiruppur – 641604.
2. The Tahsildar
O/o.Tahsildar,
Avinashi, Tiruppur - 641654.



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WP No. 24756 of 2



MOHAMMED SHAFFIQ, J.

MRN

WP No.24756 of 2026

30-06-2026