



W.P(MD)No.18279 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.18279 of 2026

and

W.M.P.(MD).No.13528 of 2026

G.Jasmine Ponmalar

... Petitioner(s)

VS.

1.The District Collector,
Collectorate,
Nagercoil-629001,
Kanniyakumari District.

2.The Revenue Divisional Officer,
Collectorate Campus,
Nagercoil-629001,
Kanniyakumari District.

3.The Tahsildar,
Agasthiswaram,
Nagercoil,
Kanniyakumari District.

... Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in O.Mu.A6/6718/2025 dated



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WEB COPY 26.05.2026 on the file of the respondent No.2 and quash the same as illegal and arbitrary, and consequently direct the respondent to issue fresh legal heirship certificate showing the petitioner and her daughters namely, N. Sajane Morrison and N. Daphne Morrison, alone as the legal heir of the deceased M. Noble Morrison within the time period stipulated by this Court.

For Petitioner : Mr.T.Aswin Rajasimman

For Respondents : Mrs.K.Shivashankari,
Counsel for the State

ORDER

This writ petition has been filed challenging the impugned order passed by the second respondent dated 26.05.2026 and consequently seeking a direction to the respondents to issue a fresh Legal Heirship Certificate by showing the petitioner and her daughters, namely, N. Sajane Morrison and N. Daphne Morrison, alone as the legal heirs of the deceased, N. Noble Morrison.

2. Heard Mr.T.Aswin Rajasimman, learned counsel appearing for the petitioner and Mrs.K.Shivashankari, learned counsel for State, who takes notice on behalf of the respondents.

3. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.



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4. The learned counsel appearing for the petitioner submitted that the petitioner is the wife of the deceased, N. Noble Morrison. The petitioner's husband died on 19.10.2023. Thereafter, the petitioner submitted an application before the respondents seeking issuance of a Legal Heirship Certificate. The respondents issued the certificate by including the name of the petitioner's mother-in-law, who is the mother of the deceased, as one of the legal heirs. According to the learned counsel for the petitioner, in view of the provisions of the Indian Succession Act, 1925, the inclusion of the petitioner's mother-in-law in the Legal Heirship Certificate is erroneous. Therefore, the petitioner submitted a representation before the respondents seeking cancellation of the existing Legal Heirship Certificate and issuance of a fresh certificate by deleting the name of the petitioner's mother-in-law. Since no orders were passed on the said representation, the present writ petition has been filed.

5. The learned counsel appearing for the State submitted that though the petitioner's mother-in-law is not a Class-I legal heir. It was further submitted that if the petitioner seeks exclusion of the name of the mother of the deceased from the Legal Heirship Certificate, the appropriate remedy is to approach the



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competent Civil Court by filing appropriate succession proceedings. Therefore, no interference is warranted with the impugned proceedings.

6. This Court has carefully considered the submissions made on either side and perused the materials available on record.

7. The petitioner seeks deletion of the name of the mother of the deceased from the Legal Heirship Certificate issued by the revenue authorities. The dispute essentially relates to the determination of succession rights under the provisions of the Indian Succession Act, 1925. Such disputed questions cannot be adjudicated in proceedings relating to issuance of a Legal Heirship Certificate by the revenue authorities. It is well settled that a Legal Heirship Certificate issued by the revenue authorities is only intended for limited administrative purposes and is not conclusive proof of succession. Whenever there is a dispute regarding the entitlement of any person to succeed to the estate of the deceased, the parties have to approach the competent Civil Court for appropriate relief. In this regard, the Government has also issued G.O.(Ms.) No.110, Revenue and Disaster Management Department, dated 13.03.2024, prescribing the procedure to be



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followed in such cases. In the present case, if the petitioner seeks exclusion of the name of the mother of the deceased from the Legal Heirship Certificate and seeks declaration of exclusive succession in favour of herself and her daughters, it is always open to the petitioner to approach the competent Civil Court by instituting appropriate succession proceedings. Such proceedings alone would conclusively determine the rights of the parties. In view of the above, this Court is not inclined to interfere with the impugned order.

8. Accordingly, this writ petition stands dismissed, granting liberty to the petitioner to approach the competent Civil Court and work out her remedy in the manner known to law. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

30.06.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes
TSG

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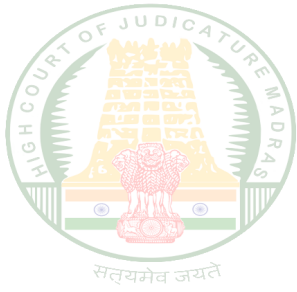
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To

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M.DHANDAPANI,J.

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**ORDER MADE IN
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