



W.P(MD)No.18406 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.07.2026

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.18406 of 2026
and W.M.P(MD)No.13619 of 2026

T.Pavithra

... Petitioner

Vs

The Tahsildar,
Vathirairuppu Taluk Office, Virudhuangar District. ... Respondent

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings issued by the respondent in Proc.No.O.Mu.A3/963/2026 dated 05.06.2026 and to quash the same and consequently directing the respondent to issue legal heirship certificate of the deceased husband namely Thangasamy in the name of the petitioner and other legal heir mother of the deceased namely Poornammal, within a time frame to be fixed by this Court.

For Petitioner : Mr.T.Chandrasekaran

For Respondent : Mr.R.Ramasamy
counsel for State



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ORDER

The present Writ Petition has been filed challenging the impugned proceedings of the respondent dated 05.06.2026 and consequently seeking a direction to the respondent to issue a Legal Heirship Certificate in respect of the petitioner's deceased husband, namely, Thangasamy, by including the petitioner and the mother of the deceased, namely, Poornammal, as his legal heirs, within a time frame to be fixed by this Court.

2.The learned counsel appearing for the petitioner submitted that the petitioner was initially married to one Ganesamoorthi, and out of the said wedlock, they were blessed with a daughter, namely, Karunya. Owing to matrimonial disputes, the marriage between the petitioner and her first husband was dissolved by a decree of divorce passed in H.M.O.P.No.194 of 2021 on the file of the Sub Court, Kovilpatti. Thereafter, the petitioner married one Thangasamy. The said Thangasamy died on 23.06.2025. Subsequently, the petitioner submitted an application seeking issuance of a



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Legal Heirship Certificate. However, the respondent/Tahsildar refused to issue the certificate on the ground that the parents of the deceased had raised objections contending that there was no valid marriage between the petitioner and the deceased. Based on the said objection, the respondent passed the impugned proceedings rejecting the petitioner's request. Aggrieved by the same, the present Writ Petition has been filed.

3.Heard the learned counsel appearing on either side and perused the materials available on record.

4.When the matter was taken up for admission, this Court specifically enquired with the learned counsel for the petitioner regarding the proof of marriage between the petitioner and the deceased, Thangasamy.

5.When the matter is taken up for hearing today, except for certain photographs and a self-declaration, no document has been produced



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before this Court to establish that a valid marriage had taken place between the petitioner and the deceased, Thangasamy. The question as to whether a valid marriage existed between the petitioner and the deceased involves disputed questions of fact, which cannot be adjudicated in proceedings under Article 226 of the Constitution of India. Such issues can be decided only by the competent Civil Court upon appreciation of oral and documentary evidence.

6.In view of the above, the relief sought for in the Writ Petition cannot be granted. Accordingly, this Writ Petition stands dismissed. However, liberty is granted to the petitioner to work out her remedy before the competent Civil Court, in the manner known to law. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

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NCC : Yes / No
Index : Yes / No
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To

The Tahsildar,
Vathirairuppu Taluk Office,
Virudhuangar District.



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M.DHANDAPANI, J.

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