



W.P(MD)No.19222 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.19222 of 2026

Mercy Sepasthiraj

... Petitioner(s)

vs.

- 1.The District Collector,
Collectorate Campus,
Sivagangai,
Sivagangai District.
- 2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Devakottai, Sivagangai District.
- 3.The Tahsildar,
Taluk Office,
Devakottai,
Sivagangai District.
- 4.Arulayee
- 5.Anthoniammal
- 6.Reeta Mary
- 7.Sebasthiraj

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8.Esther

... 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 legal heir certificate issued by the third respondent vide file No.A6/10024/11 dated 05.01.2012 and quash the same as illegal, improper, unlawful, unconstitutional and arbitrary and consequently direct the second respondent to issue fresh legal heir certificate including all the Class I legal heirs of the deceased including the petitioner based on the petitioner's representation dated 21.04.2025.

For Petitioner : Mr. R.Murugan

For R-1 to R-3 : Mr. R.Ramasamy, Counsel for State

ORDER

This Writ Petition has been filed challenging the impugned legal heir certificate issued by the third respondent vide file No.A6/10024/11 dated 05.01.2012 and consequently to direct the second respondent to issue fresh legal heir certificate including all the Class I legal heirs of the deceased including the petitioner based on the petitioner's representation dated 21.04.2025.



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WEB COPY 2. Heard Mr. R.Murugan, learned counsel appearing for the petitioner and Mr. R.Ramasamy, learned Counsel for the State, who takes notice on behalf of respondent Nos.1 to 3.

3. Since no adverse order is going to be passed against respondent Nos.4 to 8, notice to respondent nos.4 to 8 is dispensed with.

4. The learned counsel appearing for the petitioner submitted that the petitioner's father died while serving in the Indian Army. Thereafter, the petitioner's mother and the petitioner's sister, one Reeta Mary applied for issuance of a Legal Heir Certificate before the third respondent. However, while submitting the application, she omitted to include the petitioner as one of the legal heirs of the deceased.

5. It is the further submission of the learned counsel that, based on the particulars furnished by respondent Nos.4 to 8 and without conducting a proper enquiry into the legal heirs of the deceased, the third respondent issued the impugned Legal Heir Certificate in File No.A6/10024/11 dated 05.01.2012, excluding the petitioner. According to the petitioner, he is one of the Class-I legal



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WEB COPY heirs of the deceased and is entitled to have his name included in the Legal Heir Certificate.

6. Aggrieved by the omission of his name in the Legal Heir Certificate, the petitioner submitted a representation dated 21.04.2025 before the official respondents requesting issuance of a fresh Legal Heir Certificate by including his name. Since no action was taken on the said representation, the petitioner has approached this Court by filing the present writ petition.

7. The learned counsel for State appearing for respondent Nos.1 to 3 submitted that the third respondent would conduct a detailed enquiry after issuing notice to all the concerned parties and pass appropriate orders in accordance with law within the time that may be stipulated by this Court.

8. Considering the submissions made on either side and having regard to the nature of the relief sought, this Court is of the view that the impugned Legal Heir Certificate, having been issued without conducting a proper enquiry and without affording an opportunity to all the persons claiming to be the legal heirs of the deceased, cannot be sustained.



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WEB COPY 9. Accordingly, the third respondent is directed to conduct a fresh enquiry, after issuing notice to the petitioner as well as all other necessary parties claiming to be the legal heirs of the deceased, afford them an opportunity of hearing, and thereafter issue a fresh Legal Heir Certificate, by including her name if the petitioner is found entitled, by passing appropriate orders on merits and in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order.

10. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

09.07.2026

NCC : Yes / No

Index : Yes / No

Internet : Yes

TSG

To

1. The District Collector,
Collectorate Campus,
Sivagangai,
Sivagangai District.



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2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
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M.DHANDAPANI,J.

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**ORDER MADE IN
W.P(MD)No.19222 of 2026**

DATED : 09.07.2026