



W.P.(MD) No.27292 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :21.02.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.27292 of 2022

S.Geethanjali

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Theni District.

2.The Tahsildar,
Uthamapalayam,
Theni District.

3.Pangajam

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 2nd respondent in his proceedings Oo.Mu.No.A1/7051/2021 dated 25.10.2022 and the quash the same as illegal and consequentially to direct the 2nd respondent to issue legal heir certificate includes the name of the petitioner and her grandmother Sakkammal.



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For Petitioner : Mr.B.Jeyakumar
For R1 & R2 : Mr.V.Nirmal Kumar
Government Advocate
For R3 : Mr.G.Thalaimutharasu

ORDER

Heard both sides.

2. One Soundara Rajan passed away on 28.06.2020. He was employed as Assistant Director in the Animal Husbandry Department. His marriage with Senthil Kumari ended in divorce. He thereafter married Pangajam. Pangajam was a divorcee. Pangajam had two children namely Silambarasan and Pramananth when she married Soundara Rajan. Pramananth was born on 26.04.1985. Silambarasan was born on 10.05.1987. Geethanjali / petitioner herein was born through the wedlock between Soundara Rajan and Senthil Kumari. She was born on 31.10.1991. When the parties applied for the legal heirship certificate, the Tahsildar asked them to go before the jurisdictional Civil Court. The stand of the Tahsildar led to filing of this writ petition.



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3. There appears to be no dispute regarding the relationship of the parties. That the petitioner / Geethanjali is the daughter of Soundara Rajan is beyond dispute. Soundara Rajan has left behind his aged mother Sekkammal. The marriage between Soundara Rajan and Pangajam is also beyond dispute. Thus, on the face of it, the legal heirship certificate in respect of Soundara Rajan must include three names namely Sakkammal, Geethanjali and Pangajam.

4. The learned counsel for Pangajam would claim that Silambarasan and Pramananth were adopted as sons by Soundara Rajan. This aspect of the matter is left open. They can very well go to the jurisdictional Civil Court for establishing their status as adopted sons of Soundara Rajan. In this writ petition, relief is given to the extent of issuing the legal heirship certificate by including the names of Sakkammal, Geethanjali and Pangajam.

5. In this view of the matter, the impugned order is set aside. The Tahsildar will issue such legal heirship certificate as mentioned above



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within a period of three weeks from the date of receipt of a copy of this order. The Writ Petition is allowed on these terms. No costs.

21.02.2024

NCC :No
Internet :Yes
Index :No

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To

1.The Revenue Divisional Officer,
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G.R.SWAMINATHAN, J.

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