



W.P(MD)No.20936 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.09.2024

CORAM :

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

W.P(MD)No.20936 of 2024

and

W.M.P.(MD)No.17708 of 2024

Pooranam

... Petitioner

Vs.

1.The District Collector,  
Thoothukudi District,  
Thoothukudi.

2.The Tahsildar,  
Taluk Office, Ottapidaram,  
Thoothukudi District.

3.The Village Administrative Officer,  
Pattinam Maruthur, Ottapidaram Taluk,  
Thoothukudi District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, calling for the records relating to the impugned order updated in the online by the 2<sup>nd</sup> respondent Nil dated and quash the same and consequently, to direct the 2<sup>nd</sup> respondent to issue Legal Heir Certificate of the petitioner's husband, namely, Karuppusamy on the basis of the petitioner's application dated 25.06.2024.

For Petitioner : Mr.C.Jeganathan

For Respondents : Mr.D.Gandhiraj,

Special Government Pleader



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## **ORDER**

Challenge has been made to the order of the 2<sup>nd</sup> respondent, rejecting the request of the petitioner, seeking legal heir certificate.

2.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.The learned counsel appearing for the petitioner would submit that the petitioner's husband Karuppusamy died on 18.01.2021. In this regard, she obtained death certificate on 15.04.2021. When the petitioner has applied for legal heir certificate through e-seva centre, the same has been rejected, stating that the petitioner is the second wife. According to the petitioner, the petitioner is the only wife of Karuppusamy.

4.Mr.D.Gandhiraj, learned Special Government Pleader, who takes notice for the respondents, on instructions, submits that the petitioner is the second wife of the said Karuppusamy and the petitioner's husband got married to one Petchiammal, who died 50 years ago and the children born to the first wife also died a long ago.



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5.In such view of the matter, merely because the said Karuppusamy got married to the petitioner, after the death of the first wife, it cannot be said that she is not the legal heir. Therefore, the impugned order of the 2<sup>nd</sup> respondent, rejecting the request of the petitioner, seeking legal heir certificate, stands quashed. The 2<sup>nd</sup> respondent is directed to issue legal heir certificate to the petitioner, within a period of one month from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition is allowed. No costs.  
Consequently, connected miscellaneous petition is closed.

**03.09.2024**

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

*Yuva*

To

1.The District Collector,  
Thoothukudi District,  
Thoothukudi.

2.The Tahsildar,  
Taluk Office, Ottapidaram,  
Thoothukudi District.



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**N.SATHISH KUMAR, J**

*Yuva*

3.The Village Administrative Officer,  
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Thoothukudi District.

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