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W.P.No.4640 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.4640 of 2025

Rathinambal

... Petitioner

Vs.

1.The Sub-Collector
Sub-Collector Office
Jakkampettai, Tindivanam 604 001.

2.The Revenue Tashildar
Tindivanam Taluk
Villupuram Taluk.

....Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 24.09.2024 consequently direct the



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respondents to cancel the legal heirs certificate issued by the second

respondent in its proceeding No.Pa.Mu(A) 16805/2015 dated 26.10.2015.

For Petitioner : Mr.S.N.Subramani

For Respondents : Mr.R.Neelakandan
Additional Advocate General
Assisted by
Mr.R.Murthy for R1 & R2
Government Advocate

ORDER

The case of the petitioner is that when her husband Narayanasamy died on 18.08.2015 and a legal heirship certificate was issued. In the legal heirship certificate, eventhough both her children, names, viz., Gopikannan and Sangeetha are included, along with her children, the second wife, namely Vasanthi, included her name as wife. Her two children, namely, Sarath Kumar and Gokula Kannan are also included as legal heirs in the legal heirship certificate, while the petitioner's name has not been included.

2. It is case of the petitioner that the petitioner got married to the



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said Narayanasamy in the year 1979 before the said Vasanthi and even assuming the second marriage was performed by Narayanasamy, it is only the petitioner Rathinambal, who should be considered as the wife of Narayanaswamy in the legal heirship certificate. To that effect, the petitioner had made a representation on 24.09.2024.

3. Mr.R.Neelakandan, the Additional Advocate General appearing on behalf of the respondents would submit that the said Vasanthi seems to have made an application, pursuant to which, the legal heirship certificate is issued. But however, if direction is issued, they will consider the representation in accordance with law and pass fresh order thereon.

4. In view thereof, this Writ Petition is disposed of on the following terms;

(i) The respondents are directed to conduct an enquiry on the representation of the petitioner dated 24.09.2024;

(ii) The respondents shall issue notice to the petitioner Rathinambal as well as the said Vasanthi and the



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other legal heirs;

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(iii) After enquiry, if the respondents find that the petitioner was the first wife of the said Narayanasamy, then her name alone shall be included in the legal heirship certificate instead of the said Vasanthi, depending on the outcome of the enquiry.

5. Needless to mention that the contentions of all the parties are kept open to be raised before the second respondent. The entire exercise shall be completed within a period of 8 weeks from the date of receipt/production of website uploaded copy of the order, without waiting for the certified copy of the order. No costs.

12.02.2025

Neutral Citation : Yes/No
dna

To

1.The Sub-Collector
Sub-Collector Office
Jakkampettai, Tindivanam 604 001.

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2.The Revenue Tashildar
Tindivanam Taluk
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D.BHARATHA CHAKRAVARTHY, J.

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