



W.P.No.14798 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :24.04.2025

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.14798 of 2025

Mrs.P.Mageswari,
W/o late A.Ponnusamy,
No.130/151, V.M.Street,
Royapettah, Chennai 600 014,
Presently residing at No.22/15,
Pudhuvaaniankulam, 3rd Street,
Thiruvannamalai.

.. Petitioner

/versus/

1.The District Collector,
Villupuram District, Villupuram.

2.The Tahsildar,
Kandachipuram Taluk Office,
Kandachipuram,
Villupuram District 605 701.

.. Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to issue the legal heirship certificate of the petitioner's deceased husband A.Ponnusamy consisting of (1)Sasikumar (son) (2)Saranya(deceased daughter) (3)Saisaran (son) and (4)P.Mageswari, wife as per on-line application dated 19.09.2024 made by the petitioner.

For Petitioner :Mr.M.Himavanth
For Respondents :Mr.R.Neelakandan, AAG-VIII Asst.by
Dr.S.Suriya, AGP for R1 and R2



W.P.No.14798 of 2025

ORDER

WEB COPY The Writ Petition is filed for a direction to issue legal heirship certificate of the petitioner's deceased husband Ponnusamy by including the name of the petitioner and the other heirs.

2. After hearing the learned counsel appearing for the petitioner and the learned Additional Advocate General appearing for the respondents 1 and 2, it can be seen that in respect of the death of the said Ponnusamy, a legal heirship certificate has been issued vide certificate No.TN-720231019740, dated 14.11.2023. It mentions the name of Sasikumar and Saisaran being the children of the said Ponnusamy. It is also seen that the said Saisaran is born through the petitioner and the said Ponnusamy. However, the name of the petitioner is not included in the legal heirship certificate. The name of the pre-deceased first wife of the said Ponnusamy namely Kalaiselvi and the deceased daughter Saranya and the parents' name are all included.

3. The grievance of the petitioner is that the said Ponnusamy got married to her only after the death of the first wife Kalaiselvi and the said Ponnusamy has also nominated the petitioner's name in the service register. The marriage invitation is also produced as proof.



W.P.No.14798 of 2025

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4. In view thereof, the petitioner's name should be included in the legal heirship certificate as the wife. Since as per the Government Order issued in respect of issue of legal heir, if any entry is erroneously left out and erroneously made, the same can be corrected. In view thereof, the Tahsildar, Kandachipuram, shall take up the application of the petitioner dated 19.09.2024 for consideration and he shall issue notice to the petitioner as well as the other legal heirs and decide the issue in accordance with law. If it is found that the petitioner is the wife of the said Ponnusamy, who was married after the death of the first wife Kalaiselvi, the petitioner's name shall be included in the legal heirship certificate and a fresh legal heirship certificate shall be uploaded. The aforesaid exercise shall be completed within a period of 12 weeks from the date of receipt of the web copy of the order without waiting for the certified copy of the order. No costs.

24.04.2025

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Neutral citation:no



W.P.No.14798 of 2025

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To

- 1.The District Collector, Villupuram District, Villupuram.
- 2.The Tahsildar, Kandachipuram Taluk Office, Kandachipuram, Villupuram District 605 701.
- 3.The Additional Advocate General-VIII, High Court, Madras.

D.BHARATHA CHAKRAVARTHY, J.



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W.P.No.14798 of 2025

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