



IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 04-06-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 18569 of 2025

Velliyammal
W/o.Rangan, Boyar Street,
Selliampallayam Village,
Rayappanur, Melnariyappanur Post,
Chinnasalem Taluk, Kallakurichi 606
201.

... Petitioner

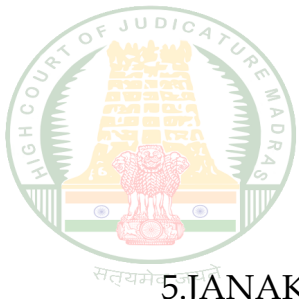
Vs

1. The District Collector
Kesavalu Nagar, V.O.C. Nagar,
Kallakurichi, Tamil Nadu-606 202.

2.The Thasildhar
Salem Main Rd, Chinnasalem,
Kallakurichi, Tamil Nadu-606 201.

3.The Village Administrative Officer
Rayappanur Village, Chinnasalem
Taluk, Kallakurichi District.

4.PALANIAMMAL
W/o.Ramakrishnan, No.7/13, Salem
Main Road, Ulundurpet Town,
Kallakurichi District.



5.JANAKI

D/o.Rangan, Selliyampallayam
Village, Rayappanur,
Melnariyappanur Post, Chinnasalem
Taluk, Kallakurichi-606201.

...Respondents

PRAYER

Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st to 3rd Respondents herein to consider the claim of the petitioner for inclusion of her name in the legal heirship certificate of her late husband Mr. Rangan, made through her representation dated 07.04.2025.

For Petitioner : Mr.B.Divakaran

For Respondents: Mr.R.Neelakandan
Additional Advocate General
assisted by Mr.G.Velu
Additional Government Pleader

ORDER

This writ petition has been filed for the issuance of a Writ of Mandamus directing the respondents 1 to 3 to act upon the representation made by the petitioner on 07.04.2025, wherein the petitioner is seeking for the inclusion of her name in the legal heirship certificate of her late husband Rangan.

2. Heard Mr.B.Divakaran for the petitioner and Mr.R.Neelakandan, learned Additional Advocate General assisted by Mr.G.Velu learned Additional Government Pleader for the respondents.



WEB COPY 3. On carefully going through the materials placed before this Court, it is seen that Late Rangan had married Rajammal, who is the sister of the petitioner. During the subsistence of the first marriage, the said Rangan married the petitioner and through this marriage two daughters were born. Ultimately, the said Rangan died on 06.09.2022. A legal heirship certificate was issued by mentioning the names of the first wife and the two daughters who were born to the petitioner.

4. The petitioner and her two daughters were in loggerheads and it is alleged that the daughters are trying to throw away the petitioner from the property. Hence, a suit has been filed in O.S.No.241 of 2025 which is pending on the file of the Principal Sub Court, Kallakurichi. During the pendency of the suit, the petitioner was asked to get legal heirship certificate and hence she has applied for the same before the second respondent. Since it was not considered, the present writ petition has been filed before this Court.

5. When civil proceedings are pending before the competent civil Court, it is not necessary for the Court to rely upon the legal heirship certificate and the Court has to independently consider the relationship between the parties.



A Civil Court is not bound by the legal heirship certificate given by the revenue authorities alone on this issue. This issue is now too well settled.

WEB COPY

Therefore, the Court before which the civil proceedings are pending can consider the relationship independently without insisting for a legal heirship certificate from the petitioner. This clarity will sufficiently take care of the grievance expressed by the petitioner.

6. This writ petition is disposed of in the above terms. No costs.

04-06-2025

KST

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To
WEB COPY

- 1.The District Collector
Kesavalu Nagar, V.O.C. Nagar,
Kallakurichi, Tamil Nadu-606 202.
- 2.The Thasildhar
Salem Main Rd, Chinnasalem,
Kallakurichi, Tamil Nadu-606 201.
- 3.The Village Administrative Officer
Rayappanur Village, Chinnasalem
Taluk, Kallakurichi District.



WEB COPY

W.P No. 18569 of 2



N.ANAND VENKATESH J.

KST

WP No. 18569 of 2025

04-06-2025