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WP No. 16798 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-07-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 16798 of 2025

and

WMP No.19044 of 2025

SIVAKUMAR

Petitioner(s)

Vs

1.The State Of Tamil Nadu
Rep. By Its Principal Secretary To
Government, Revenue And Disaster
Management Department, Fort St.
George, Secretariat, Chennai - 600 009.

2.The District Revenue Officer,
Salem District, Salem.

3.The Sub-Collector/ Revenue
Divisional Officer,
Mettur Revenue Division,
Mettur Dam -1, Salem District.

4.The Tahsildar,
Kadayampati Taluk,
Kadayampatti, Salem District.

Respondent(s)



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned order issued by the 4th Respondent dated Nil vide Transaction reference No. TN-720241223480, which has been uploaded in the website and quash the same, consequently direct the 4th respondent to issue Legal Heir Certificate to the Petitioner so as to enable the petitioner to avail the benefits.

For Petitioner(s): Mr. M.R.Jothimanian

For Respondent(s): Mr.R.Neelakandan,
Additional Advocate General
Assisted by
Mr. S.J. Mohammed Sathik,
Government Advocate

ORDER

This Writ Petition has been filed challenging the impugned online rejection order of the 4th respondent and for a consequential direction to the 4th respondent to issue legal heirship certificate pursuant to the demise of late Ramasamy.



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2. Heard Mr.M.R.Jothimanian, learned counsel appearing for the petitioner and Mr.R.Neelakandan, learned Additional Advocate General appearing for the respondents.

3. The specific case of the petitioner is that late Ramasamy married one Valli and through this wedlock there were two sons and one daughter. During the subsistence of the first marriage, the petitioner married one Malliga and through this wedlock there were three sons. The petitioner submitted an application by including the names of all the legal heirs. However, the online rejection order came to be passed by the 4th respondent stating that there is objection from the legal heirs and hence the parties must approach the civil Court and seek for remedy. Aggrieved by the same, the present Writ Petition has been filed before this Court.

4. When the matter was taken up for hearing, the learned Additional Advocate General produced the written instructions received from the 4th



respondent. On going through the same, it is seen that Ramasamy married one

Chinnakannu and there were no issues out of this marriage. Thereafter, on the

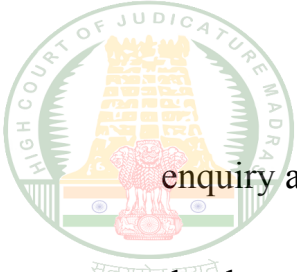
demise of Chinnakannu, the deceased Ramasamy married one Valli and through

this marriage, there were two sons and one daughter. Thereafter, he again

married one Malliga and three sons were born out of this relationship.

5. In the considered view of this Court, the children of the said Valli and Malliga must be necessarily added in the legal heirship certificate. The only enquiry to be conducted is as to whether the said Valli married the deceased Ramasamy after the demise of Chinnakannu. If that is so, the name of Valli must also be added in the legal heirship certificate. The name of Malliga cannot be added for the simple reason that she married the deceased during the subsistence of the marriage with Valli.

6. In the light of the above discussion, there shall be a direction to the petitioner to submit a fresh application before the 4th respondent by giving all the particulars. On receipt of the same, the 4th respondent shall conduct an



enquiry and issue legal heirship certificate within a period of six (6) weeks from the date of receipt of a copy of fresh online application from the petitioner.

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7. This Writ Petition is disposed of with the above directions. No costs.

Consequently, the connected miscellaneous petition is closed.

28-07-2025

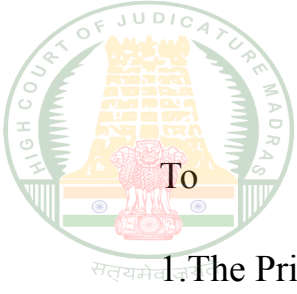
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Index : Yes/No

Speaking/Non-speaking order

Internet : Yes

Neutral Citation : Yes/No



To

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Rep. By Its Revenue And Disaster

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N.ANAND VENKATESH J.

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