



Writ Petition No.28950 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 05.08.2025

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.28950 of 2025

and

W.M.P.No.32486 of 2025

Parameshwari
D/o.Ammavasai

... Petitioner

vs.

1.The District Collector,
District Collector Office,
Villupuram,
Villupuram District.

2.The Tahsildar,
Tahsildar Office,
Villupuram,
Villupuram District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records of the order passed by the second respondent vide Impugned Order Application No.TN-7202402292600 dated 11.03.2024 and quash the same and consequently, direct the second respondent to issue the legal heir certificate to the petitioner.

For Petitioner : Mr.V.Balamurugan
For Respondents : Mr.R.Neelakandan,
Additional Advocate General
assisted by Mr.T.M.Rajangam,
Government Advocate

ORDER



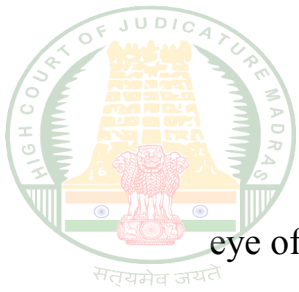
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This writ petition has been filed challenging the online rejection order dated 11.03.2024 and for a consequential direction to the second respondent to issue the legal heirship certificate.

2. Heard Mr.V.Balamurugan, learned counsel for petitioner and Mr.R.Neelakandan, learned Additional Advocate General assisted by Mr.T.M.Rajangam, learned Government Advocate appearing for respondents.

3. The case of the petitioner is that her mother Deepanjali is the legally wedded wife of the deceased Ammavasai. The petitioner's father died on 16.05.2016. Pursuant to the same, the petitioner submitted an application for issuance of legal heirship certificate wherein the petitioner had included the name of her mother, her sister and also the parents of the deceased. The petitioner came to know about the status of the application when the same was uploaded on 11.03.2024 stating that the application has been rejected since the deceased had already married one Radha and during the subsistence of the said marriage, the deceased had married Deepanjali and hence, the marriage itself is not valid in the



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eye of law.

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4. Learned counsel for the petitioner, by placing reliance upon paragraph No.3 of the affidavit filed in support of the writ petition, submitted that the said Radha was married to one Gnanasekar and through that marriage she had children and that she had absolutely no relationship with the deceased Ammavasai. Learned counsel submitted that if the petitioner had been called for enquiry, the petitioner would have established all these facts.

5. Taking into consideration the facts and circumstances of the case and the specific ground raised by the petitioner to the effect that Radha was already married to some other person and she had children through that marriage, this is a fit case where enquiry should be conducted by the second respondent. In view of the same, the online rejection order dated 11.03.2024 is set aside and the matter is remanded back to the second respondent. The second respondent is directed to conduct personal enquiry and ascertain the fact as to whether the said Radha was already married to any other person and has children through

N.ANAND VENKATESH, J



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that marriage and whether such a report given by the Village
Administrative Officer is sustainable. After enquiry, the second
respondent shall pass fresh orders within a period of six (6) weeks from
the date of receipt of a copy of this order without reference to the order
that has already been made in the online rejection order, which is the
subject matter of challenge in the present writ petition.

This writ petition is allowed with the above direction. No costs.

Consequently, connected miscellaneous petition is closed.

05.08.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order

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To

1.The District Collector,
District Collector Office,
Villupuram, Villupuram District.

2.The Tahsildar,
Tahsildar Office,
Villupuram, Villupuram District.

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