



Writ Petition No.31505 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 21.08.2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

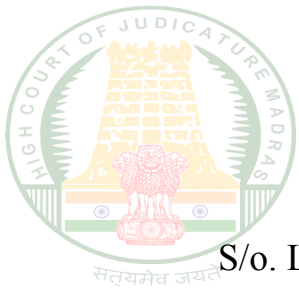
Writ Petition No.31505 of 2025

Mrs.S.H.Mumtaz Begum
W/o.Late Mr.Shaick Hyder

Vs.

... Petitioner

1. The District Collector,
Rajaji Salai, Fourth Floor, 62,
Beach Road, George Town,
Chennai – 600 001.
2. The Tahsildar,
Guindy Taluk Office,
Chennai – 600 032.
3. Mrs.A.Fathimunisa,
W/o.Late Mr.Shaick Hyder
4. S.Mahaboobunnisa,
D/o. Late Mr.Shaick Hyder
5. S.Arifa Roshan,
D/o. Late Mr.Shaick Hyder
6. S.Shaik Abu Thahir,
S/o. Late Mr.Shaick Hyder
7. S.Shaik Ibrahim Badsha,



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S/o. Late Mr.Shaick Hyder

8. S.Syed Ali Fathima,
S/o. Late Mr.Shaick Hyder

9. S.Shaik Khaja Ghareeban Nawaz,
S/o. Late Mr.Shaick Hyder

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records on the file of the 2nd respondent in his proceedings bearing A2/1453/2023 dated 13.09.2023 and to quash the same as unlawful and unconstitutional and consequentially to direct the 2nd respondent to issue legal heir certificate of deceased Mr.Shaick Hyder by incorporating the name of the petitioner as 2nd wife and the name of 3rd respondent Mrs.A.Fathimunisa as 1st wife and their children, respondents 4 to 9 as legal heirs of deceased Mr.Shaick Hyder.

For Petitioner : Mr.P.Vasanth

For Respondents : Mr.R.Neelakandan,
Additional Advocate General,
assisted by Mr.R.Murthi
Government Advocate [R1 & R2]

ORDER



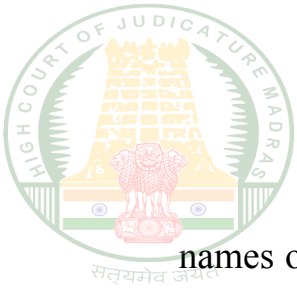
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This writ petition has been filed challenging the impugned proceedings of the second respondent dated 13.09.2023 and for a consequential direction to the second respondent to issue legal heirship certificate of the deceased Shaick Hyder by incorporating the name of the petitioner as the second wife.

2. Heard Mr.P.Vasanth, learned counsel for petitioner and Mr.R.Neelakandan, learned Additional Advocate General assisted by Mr.R.Murthi, learned Government Advocate appearing for respondents 1 and 2.

3. The grievance expressed by the petitioner is that she is governed by Muslim law. The deceased Shaick Hyder has married the third respondent as the first wife and thereafter, married the petitioner as the second wife. He died on 20.06.2022 leaving behind the two wives and the children, who were born to them. An application was submitted seeking issuance of legal heirship certificate. The Revenue Inspector has submitted a report wherein the name of the petitioner was omitted to be mentioned as the second wife of the deceased Shaick Hyder, whereas, the names of the first wife, her children and also the



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names of the children born to the petitioner were shown as the legal heirs of the deceased Shaick Hyder. Relying upon such report, the second respondent refused to issue legal heirship certificate incorporating the name of the petitioner. It is under these circumstances, the present writ petition came to be filed before this Court.

4. This Court had an occasion to deal with a similar issue wherein it was held that where the personal law permits more than one marriage, the name of the second wife must also be included in the legal heirship certificate. In that case, G.O.(Ms) No.110 dated 13.03.2024 was considered. This Government Order provided that if there is more than one spouse and if it is permissible under the personal law, her name can be mentioned and it can be acted upon. The above position must also be applied to the case in hand.

5. In view of the above, the impugned proceedings of the second respondent dated 13.09.2023 is interfered insofar as not including the name of the petitioner as the legal heir of the deceased Shaick Hyder. There shall be a direction to the second respondent to include the name of the petitioner in the



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legal heirship certificate and issue a fresh legal heirship certificate within a period of four (4) weeks from the date of receipt of a copy of this order.

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

21.08.2025

Speaking/Non-speaking order
Index : Yes / No
Neutral Citation : Yes / No
gm

To

1. The District Collector,
Rajaji Salai, Fourth Floor, 62,
Beach Road, George Town,
Chennai – 600 001.

2. The Tahsildar,
Guindy Taluk Office,
Chennai – 600 032.

N. ANAND VENKATESH, J.

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