



W.P.No.32755 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.32755 of 2025

and

W.M.P.No.36669 of 2025

Thulasi

... Petitioner

Vs.

1.The District Collector,
District Collectorate,
Dharmapuri – 636 705,
Dharmapuri District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Pappireddipatti,
Dharmapuri District – 636 905.

3.The Tahsildar,
Tahsildar Office,
Pappireddipatti Taluk,
Pappireddipatti,
Dharmapuri District – 636 905.

4.The Village Administrative Officer,
Thennagaram, Jammanahalli Village,
Pappireddipatti Taluk,
Dharmapuri District – 636 904.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the rejection of the petitioner's application for legal



W.P.No.32755 of 2025

heir certificate vide Application No.TN-720250604412 dated 04.06.2025 for issuance of legal heir certificate issued by the 3rd respondent, quash the same as illegal and arbitrary; consequently direct the respondents to issue legal heir certificate in favour of the petitioner and her son R.Nandhakumar, being the only surviving legal heirs of Late Raju, within a time limit fixed by this Court.

For Petitioners : Mr.M.Elumalai

For Respondents : Mr.R.Neelakandan
Additional Advocate General
Assisted by Mr.S.Balamurugan
Government Advocate

ORDER

This Writ Petition has been filed by the petitioner seeking for a Writ of Certiorarified Mandamus, to call for the records relating to the rejection of the petitioner's application for legal heir certificate vide Application No.TN-720250604412 dated 04.06.2025 for issuance of legal heir certificate issued by the 3rd respondent, quash the same as illegal and arbitrary; consequently, direct the respondents to issue legal heir certificate in favour of the petitioner and her son R.Nandhakumar, being the only surviving legal heirs of Late Raju, within a time limit fixed by this Court.

2. Mr.R.Neelakandan, learned Additional Advocate General,

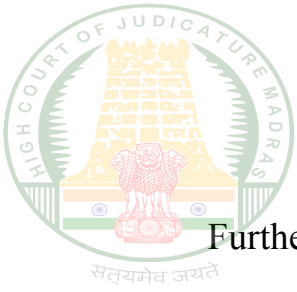


W.P.No.32755 of 2025

assisted by Mr.S.Balamurugan, learned Government Advocate, accepts notice on behalf of the respondents. In view of the consent expressed by the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that, she is the legally wedded wife of Late Raju and the said Raju passed away on 28.04.2025, leaving the petitioner and her son Nandha Kumar as legal heirs. Thereafter, she applied through online for issuance of legal heir certificate vide Application No.TN-720250604412 dated 04.06.2025, which was rejected on the false and baseless ground that the deceased had two wives and the names of the second wife and her children were not added in the application. Challenging the same, the petitioner has filed this writ petition.

4. The learned counsel for the petitioner submits that the respondents have failed to produce any documentary evidence or supporting record to establish that the deceased had a second wife or any other legal heirs. An administrative authority, while exercising statutory functions, cannot proceed on mere conjectures, assumptions or hearsay.



W.P.No.32755 of 2025

Further, the death of the deceased has been duly registered and the death certificate was issued. When the statutory record itself mentions the name of the petitioner as the surviving spouse, the authority cannot contradict its own record and invent non-existent heirs. Accordingly, he prays for allowing this writ petition.

5. The learned Additional Advocate General appearing for the respondents submitted that the petitioner has not disclosed the details with regard to the second wife and other legal heirs of her deceased husband Raju. Therefore, the 3rd respondent has passed the impugned rejection order, which is wholly sustainable and the same does not require any interference at the hands of this Court. However, the learned Additional Advocate General appearing for the respondent, on instructions, submits that the detailed enquiry report will be communicated to the petitioner within a time frame that may be fixed by this Court, enabling the petitioner to approach the competent Civil Court for appropriate remedy.

6. In view of the above submissions made by the learned



W.P.No.32755 of 2025

Additional Advocate General appearing for the respondents, this Court, without interfering with the impugned order, directs the 3rd respondent to send the details of the second wife and other legal heirs of the deceased Raju to the petitioner, within a period of two (2) weeks from the date of receipt of a copy of this order, enabling the petitioner to approach the competent Civil Court.

7. With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

01.09.2025

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

To

- 1.The District Collector,
District Collectorate,
Dharmapuri – 636 705,
Dharmapuri District.
- 2.The Revenue Divisional Officer,
Revenue Divisional Office,
Pappireddipatti,
Dharmapuri District – 636 905.



WEB COPY



W.P.No.32755 of 2025

M.DHANDAPANI, J.

sp

3.The Tahsildar,
Tahsildar Office,
Pappireddipatti Taluk,
Pappireddipatti,
Dharmapuri District – 636 905.

4.The Village Administrative Officer,
Thennagaram, Jammanahalli Village,
Pappireddipatti Taluk,
Dharmapuri District – 636 904.

W.P.No.32755 of 2025

01.09.2025