



WEB COPY



W.P. No.33698 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2025

CORAM:

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P. No.33698 of 2023
and
W.M.P. No.33556 of 2023

R. Kalaiarasi

... Petitioner

vs.

1. The Revenue Divisional Officer,
Thiruvannamalai,
Krishnagiri District.

2. The Tahsildhar,
Thandaramattu Taluk,
Thiruvannamalai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorarified Mandamus to call for the records in connection with rejection order dated 13.09.2023 of 2nd respondent through e-mail for the issuance of legal heir certificate to the petitioner and quash the same and consequently direct the 2nd respondent to issue legal heir certificate to the petitioner and to the petitioner's daughter namely, Thamilarasi as legal heirs of the petitioner's deceased husband namely, Rasukutti son of Srinivasan.

For petitioner : Mr.K. Thiruvengadam
For respondents : Ms.P. Aishwarya
Govt. Advocate



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ORDER

WEB COPY This writ petition has been filed to call for the records relating to the rejection order dated 13.09.2023 passed by the 2nd respondent through e-mail, whereby the petitioner's request for issuance of a Legal Heirship Certificate was rejected and to quash the same. The petitioner further seeks a consequential direction to the 2nd respondent to issue a Legal Heirship Certificate in favour of herself and her daughter, Thamilarasi, as the legal heirs of the petitioner's deceased husband, Rasukutti, son of Srinivasan.

2. It is stated that the petitioner had a love affair with one Rasukutti and they got married in the presence of their close relatives at a village temple. Out of the said wedlock, a female child, Thamilarasi, was born. Unfortunately, the petitioner's husband, Rasukutti, died in a road accident on 31.01.2020. Thereafter, the petitioner submitted an application before the 2nd respondent seeking issuance of a Legal Heirship Certificate in respect of the deceased Rasukutti. However, the said application was rejected on the ground of non-submission of proof of marriage. Challenging the said rejection order dated 13.09.2023, the present writ petition has been filed.

3. Learned counsel for the petitioner submitted that the marriage between the petitioner and the deceased was known to the deceased's father. He further submitted that the 2nd respondent rejected the petitioner's request



without conducting any proper enquiry in the locality and therefore, the impugned order arbitrary and perverse. It is also stated that the father of the deceased submitted a letter confirming the relationship between the deceased and the petitioner. Learned counsel further submitted that the Birth Certificate of minor Thamilarasi, showing the names of her father and mother as Rasukutti and R. Kalaiarasi, was also produced before the 2nd respondent, but the same was not considered. In view of the above, he prayed for setting aside the rejection order and for consequential directions to issue the Legal Heirship Certificate in favour of the petitioner and her daughter.

4. Per contra, learned Government Advocate appearing for the respondents submitted that the petitioner had not produced any valid or acceptable document to prove the marriage between herself and the deceased Rasukutti. In the absence of any such proof, the claim for Legal Heirship Certificate is untenable. He further submitted that the father of the deceased had only given an oral statement regarding the relationship, which cannot be treated as conclusive proof. He vehemently argued that no proof of marriage between the petitioner and the deceased Rasukutti has been submitted before the 2nd respondent either from the father of the deceased or from the villagers and after conducting due enquiry, the 2nd respondent has issued the rejection order dated



13.09.2023. Therefore, he submitted that the rejection order dated 13.09.2023 is legally sustainable and interference by this Court is unwarranted.

5. Heard the learned counsel for the petitioner and the Government Advocate appearing for the respondents and perused the materials placed on record.

6. From the records, it is seen that although it is claimed that a written letter from Srinivasan, father of the deceased, was submitted before the 2nd respondent regarding the alleged marriage, the said letter does not contain any details of the marriage such as date, place, or witnesses. Further, marriage photographs have also not been produced before the 2nd respondent. The petitioner has not produced any acceptable document with regard to her claim of marriage with the deceased. It is settled position that the revenue authorities cannot issue Legal Heirship Certificate based solely on oral statements / representations and sufficient documentary evidence/proof has to be submitted, then only they can be able to process the application for issuance of Legal Heirship Certificate. On a cursory perusal of the impugned rejection order reveals that enquiry was also conducted by the 2nd respondent with the Villagers, before issuing the rejection order and in the said order, it has been mentioned that the deceased was a bachelor. Though this Court can sympathize with the petitioner's situation, the fact remains that she has failed to produce



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even an iota of documentary proof to establish the marital relationship claimed by her. Therefore, the rejection order dated 13.09.2023 issued by the 2nd respondent cannot be faulted with. However, it is always open to the petitioner to approach the competent Civil Court for appropriate relief and to establish her legal status in accordance with law.

7. In view of the above, the writ petition is devoid of merit and is accordingly dismissed. However, liberty is granted to the petitioner to work out her remedy before the Civil Court in the manner known to law. No costs. Consequently, connected miscellaneous petition is closed.

19.11.2025

Note : Issue order copy on 20.11.2025

Index:Yes/No

Speaking/Non-speaking order

Neutral Citation : Yes/No

vsi2

To

1. The Revenue Divisional Officer,
Thiruvannamalai,
Krishnagiri District.

2. The Tahsildhar,
Thandaramattu Taluk,
Thiruvannamalai District.



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M. DHANDAPANI, J.

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