



W.P.No.45075 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.45075 of 2025
and
W.M.P.No.50227 of 2025

1.S.Rani
2.S.Lakshmi
3.A.Meena

... Petitioners

Vs.

1.The Director of Municipal Administration,
No.78, Urban Administrative Buildings,
Santhome High Road,
Chennai – 600 028.

2.The Municipal Commissioner,
Municipality, Thiruvallur,
No.56, J.N.Road,
Thiruvallur – 602 001.

3.The Collector,
Thiruvallur District,
Thiruvallur Taluk,
Thiruvallur District.

4.The Tahsildar,
Taluk Office, Thiruvallur,
Thiruvallur Taluk,
Thiruvallur District – 602 001.

5.S.Kuppammal

6.Durga

... Respondents

Page 1 of 6



W.P.No.45075 of 2025

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 3 to 4 to cancel the forged legal heir certificate issued in favour of the respondents 5 and 6 in Certificate No.720210129144, dated 15.02.2021.

For Petitioners	:	Mr.T.R.Shanmugam
For R1	:	Mr.C.Selvaraj Additional Government Pleader
For R2	:	Dr.T.Seenivasan Special Government Pleader
For R3 and R4	:	Mr.V.Jeevagiridharan Additional Government Pleader

ORDER

The petitioner seeks a direction to the respondents 3 to 4 to cancel the forged Legal Heirship Certificate issued in favour of the respondents 5 and 6 in Certificate No.720210129144, dated 15.02.2021.

2.According to the petitioners, the petitioner's brother namely Sundaram was working in the Thiruvallur Municipality and he died in harness on 24.12.2020 as a bachelor, leaving behind no issues. In such circumstances, one Kuppammal, who is the 5th respondent herein, in order to



W.P.No.45075 of 2025

get the death benefits of the petitioners' brother, claiming herself to be the wife of the petitioners' brother Sundaram, had obtained Legal Heirship Certificate, dated 15.02.2021, showing the 5th respondent as wife and 6th respondent as daughter of the deceased Sundaram. According to the petitioners, the 5th respondent is the concubine of their deceased brother Sundaram. It is the contention of the petitioners that the Legal Heirship Certificate is fabricated and the same has to be cancelled. Hence, the present writ.

3.Heard the learned counsel on either side and perused the entire materials available on record.

4.On a perusal of the entire affidavit and other aspects, this Court is of the view that the issue is with regard to the status of the parties. It is the allegation of the petitioners that the 5th respondent is not the wife of their deceased brother Sundaram, but only his concubine, and similarly, 6th respondent is not his daughter. Whether there was a marriage conducted between the deceased Sundaram and the 5th respondent; or whether the 5th respondent is his concubine or not, are all matter of evidence and it has to be established in the manner known to law. As a matter of right, by just filing a



W.P.No.45075 of 2025

writ petition, the status of the parties cannot be decided. When disputed

questions of facts are involved, the same have to be established only before the Civil Court. Ultimately, the parties are agitating only for sharing the death benefits of the petitioners' brother Sundaram. Whether the 5th respondent is the actual wife of the deceased Sundaram; or whether the 6th respondent is the daughter born to him; and whether the respondents 5 and 6 are the only legal heirs of the deceased Sundaram have to be decided by the Civil Court. It is for the petitioners to file an appropriate suit before the Civil Court for declaration and establish their case before the Civil Court.

5. With these observations, this writ petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

04.12.2025

mkn

Internet : Yes

Index : Yes

Speaking order : Yes / No

Neutral Citation : Yes



W.P.No.45075 of 2025

To
WEB COPY

- 1.The Director of Municipal Administration,
No.78, Urban Administrative Buildings,
Santhome High Road,
Chennai – 600 028.
- 2.The Municipal Commissioner,
Municipality, Thiruvallur,
No.56, J.N.Road,
Thiruvallur – 602 001.
- 3.The Collector,
Thiruvallur District,
Thiruvallur Taluk,
Thiruvallur District.
- 4.The Tahsildar,
Taluk Office, Thiruvallur,
Thiruvallur Taluk,
Thiruvallur District – 602 001.



WEB COPY



W.P.No.45075 of 2025

N. SATHISH KUMAR, J.

mkn

W.P.No.45075 of 2025

04.12.2025