



WEB COPY



W.P.No.38775 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **14.10.2025**

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

W.P.No.38775 of 2025

B.Gowri

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Revenue Division Office,
Attur Town and Taluk,
Salem District.

2.Tahsildar,
Taluk Office,
Pethanaickanpalayam Town and Taluk,
Salem District.

3.Sasi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, call for the record pertaining to the legal heir certificate Nos. 1)TN-7202108161776, dated 20.08.2021 and 2)TN-7202109092167, dated 16.09.2021, issued by the 2nd respondent, quash the same and further direct the 1st and 2nd respondent to conduct proper enquiry and issue a fresh legal heirship certificates for the petitioner's late husband Mr.Baskaran and late father-in-law, Mr.Thangavel.



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For Petitioner : Mr.SP.Chockalingam

For Respondents : Ms.S.Anitha

Special Government Pleader [R1 & R2]

ORDER

This Writ Petition has been filed by the petitioner seeking for a Writ of Certiorarified Mandamus, to call for the records pertaining to the legal heir certificate Nos. 1)TN-7202108161776, dated 20.08.2021 and 2)TN-7202109092167, dated 16.09.2021, issued by the 2nd respondent, quash the same and further, to direct the respondents 1 and 2 to conduct proper enquiry and to issue a fresh legal heirship certificates for the petitioner's late husband Mr.Baskaran and late father-in-law, Mr.Thangavel.

2. Since no adverse order is being passed against the 3rd respondent, notice to the 3rd respondent is dispensed with.

3. Ms.S.Anitha, learned Special Government Pleader, accepts notice on behalf of the respondents 1 and 2. In view of the consent expressed by the learned counsel for the parties, this writ petition is taken



up for final disposal at the stage of admission itself.

4. The case of the petitioner is that she married one Baskaran on 24.11.2006 and during the subsistence of their marriage, her husband married the 3rd respondent on 15.11.2007, without obtaining divorce. Whiles, on 17.05.2021, her husband had passed away due to Covid-19 and her father-in-law one Thangavel had also passed away on 27.06.2021. She obtained the death certificates in respect of them, pursuant to which, she applied for legal heirship certificate with the 2nd respondent. The 2nd respondent has issued legal heirship certificate dated 20.08.2021 in respect of her husband, in which instead of adding the name of the petitioner as wife, the name of the 3rd respondent has been added. Similarly, in the legal heirship certificate dated 16.09.2021 pertaining to her father-in-law, the name of the 3rd respondent has been added, however the name of the petitioner has been left out. Aggrieved by the same, the petitioner has made a representation dated 17.07.2024 before the respondents 1 and 2 seeking to cancel the said legal heirship certificates and also to conduct a proper enquiry and thereafter, issue a fresh legal heirship certificate including the petitioner's name in the legal



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heirship certificates of her husband and father-in-law. In this regard, she has sent a reminder representation dated 09.04.2025, however the same was not considered. Challenging the impugned legal heir certificates, the petitioner has filed this writ petition before this Court.

5. The learned counsel for the petitioner submitted that though the petitioner has made representations before the respondents 1 and 2, however no proof was annexed in this writ petition to prove that the said representations were received by the respondents 1 and 2. Hence, he submitted that this Court may grant permission to the petitioner to make a fresh representation before the 2nd respondent and upon receipt of the same, the 2nd respondent may be directed to consider the same and pass appropriate orders, within a time frame that may be fixed by this Court.

6. In view of the limited request sought by the learned counsel appearing for the petitioner, this Court, without interfering with the impugned certificates, grants liberty to the petitioner to make a fresh representation before the 2nd respondent, within a period of two (2) weeks from the date of receipt of a copy of this order. Upon receipt of the same,



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the 2nd respondent is directed to consider the same and pass appropriate orders, on merits and in accordance with law, within a period of six weeks thereafter, after providing an opportunity of personal hearing to the petitioner and the 3rd respondent.

7. With the above liberty, this Writ Petition is disposed of. No costs.

14.10.2025

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

To

1.The Chief Executive Officer,
Tamilnadu Waqf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.

2.The Chairman,
Tamil Nadu Waqf Board,
No.1, Jaffer Syrang Street,
Vallal Seethakathi Nagar,
Chennai – 600 001.



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M.DHANDAPANI, J.

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