



WEB COPY

W.P.No.47483 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 12.12.2025

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No.47483 of 2025

&

W.M.P.Nos.53018 and 53020 of 2025

V.Senthilkumari

....Petitioner

Versus

1. The District Collector
Salem District
2. The District Revenue Officer
Salem District
3. The Revenue Divisional Officer
Aathur Division
Salem District
4. The Tahsildhar
Gangavalli Taluk
Salem District
5. Joshna
6. Prathinapillai

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records pertaining to Na.Ka..E-111246/2022/H2 dated 16.12.2024 passed by



W.P.No.47483 of 2025

the second respondent and quash the same and consequently direct the second respondent to issue the legal heirship certificate including the petitioner.

For Petitioner :Mr.V.R.Annagandhi

For Respondents : Mr.R.Neelakandan
Additional Advocate General
Assisted by
Mr.Yogesh Kannadasan
Special Government Pleader for R1 to R4

ORDER

This writ petition has been filed challenging the order passed by the second respondent dated 16.12.2024 and consequently direct the second respondent to issue legal heir certificate by including the name of the petitioner.

2. The petitioner, claiming to be the wife of one Venkatesan, sought to include her name in the legal heir certificate. According to the petitioner, her mother-in-law obtained the legal heir certificate without including her name and hence, she made an application before the second respondent on 07.08.2017 seeking to cancel the legal heir certificate issued to her mother-in-law and to issue a fresh legal heir certificate including her name, but the



W.P.No.47483 of 2025

third respondent directed the fourth respondent to conduct enquiry and after enquiry, the petitioner's request was again rejected stating that the petitioner had not produced any document evidencing the marriage between herself and said Venkatesan. Subsequently, the petitioner preferred a review before the before the District Revenue Officer, the second respondent herein. After enquiry, the District Revenue Officer concluded that there was no evidence to show that the petitioner had married said Venkatesan and further, no document from the temple has been produced. Accordingly, he rejected the review vide order dated 16.12.2024.

3. The learned counsel for the petitioner submitted that though said Venkatesan married earlier, he obtained divorce from his previous wife vide order dated 03.07.2003 in H.M.O.P.No.105 of 2003 and thereafter, the said Venkatean married the petitioner on 31.08.2011. Therefore, according to learned counsel for petitioner, the petitioner is the legal heir of Venkatesan and seeks for a direction to issue fresh legal heir certificate by including the name of the petitioner.

4. When the marriage itself is in dispute and there was no evidence to show that the marriage was solemnized between petitioner and said

3/6



W.P.No.47483 of 2025

Venkatesan, this court is of the view that the disputed questions of fact cannot gone into in a writ petition. If at all the petitioner is aggrieved, it is for her to file an appropriate civil suit and establish the marriage between her and said Venkatesan.

5. In such view of the matter, this writ petition is dismissed with liberty to the petitioner file an appropriate suit before the jurisdictional civil Court. It is made clear that the order of the revenue authorities will not be binding on the civil Court and the civil Court shall decide the matter based on the evidence produced by the parties in this regard. Consequently, the connected miscellaneous petitions are closed. There shall be no order as to costs.

12.12.2025

Index: Yes/No
Neutral citation:yes
gpa



W.P.No.47483 of 2025

To

1. The District Collector
Salem District
2. The District Revenue Officer
Salem District
3. The Revenue Divisional Officer
Aathur Division
Salem District
4. The Tahsildhar
Gangavalli Taluk
Salem District



WEB COPY



W.P.No.47483 of 2025

N. SATHISH KUMAR, J

gpa

W.P.No.47483 of 2025

12.12.2025