



W.P.No.47960 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.47960 of 2025
and
W.M.P.Nos.53552 & 53553 of 2025

R.Nalina

... Petitioner

Vs.

- 1.The Sub-Collector,
O/o. The Sub-Collector,
Collectorate, Salem,
Salem District.
- 2.The District Revenue Officer,
Salem,
Salem District.
- 3.The Revenue Divisional Officer,
Salem,
Salem District.
- 4.The Tahsildar,
O/o. of the Taluk Office,
Hasthampatti,
Salem Taluk,
Salem District – 636 001.
- 5.S.Rajamani

6.S.Natarajan

7.S.Kannan

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8.Jaya

... Respondents

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Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus calling for the records of the 4th respondent culminating to issue legal heir certificate bearing No.Ni.Mu.23075/08(A4) dated 30.06.2008 and quash the same and consequently, to set aside the impugned orders bearing Oo.Mu.No.0483/2024/A4 dated 20.02.2024 and Na.Ka.No.1041/2025/A4 dated 13.05.2025.

For Petitioner : Mr.S.Udaya Kumar

For R1 to R4 : Mr.V.Jeevagiridharan
Additional Government Pleader

ORDER

Challenging the Legal Heirship Certificate issued by the 4th respondent, dated 30.06.2008, issued without including the name of the petitioner's father as legal heir of one Pavaiammal, and the subsequent orders dated 20.02.2024 and 13.05.2025 rejecting the request of the petitioner to include her father's name in the Legal Heirship Certificate, the present writ petition has been filed.



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2.Mr.V.Jeevagiridharan, learned Additional Government Pleader takes notice for the respondents 1 to 4.

3.By consent of both sides, the matter is taken up for final disposal at the admission stage itself.

4.It is the case of the petitioner that she is the daughter of the deceased Pavaiammal's sister. The said Pavaiammal died issueless. According to the petitioner, after the death of the said Pavaiammal, she is also a Class-1 legal heir. Therefore, she is entitled to be included in the Legal Heirship Certificate. It is the grievance of the petitioner that the Legal Heirship Certificate in respect of Pavaiammal has been issued including the names of other sister's children. Therefore, it is the contention of the petitioner that her name also should be included in the Legal Heirship Certificate issued by the authorities. Hence, this writ petition is filed challenging the Legal Heirship Certificate.

5.Learned counsel for the petitioner would submit that, in the Legal Heirship Certificate issued by the Tahsildar, the names of the legal heirs are



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mentioned as sons and daughter, i.e., Class-1 legal heirs, however, it is his contention that they are only Class-2 legal heirs.

6.I have perused the entire materials available on record.

7.At this stage, the question as to whether the legal heirs shown in the Legal Heirship Certificate are the Class-1 legal heirs of deceased Pavaimmal or not, cannot be gone into in this writ petition. Still, if the petitioner wants to establish that the legal heirs shown in the Legal Heirship Certificate issued by the authorities are not Class-1 legal heirs, it is for her to establish the same in the appropriate manner by filing a civil suit. Ultimately, it is admitted that the purpose is to claim share in the properties left by Pavaimmal. In such case, it is relevant to note that the properties said to have been left by Pavaimmal will devolve on her legal heirs and the shares would be dealt only as per Section 15 of the Hindu Succession Act, 1956, and therefore, it is for the petitioner to file an appropriate suit for claiming any share in the properties said to have been left by Pavaimmal.



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09.12.2025

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Internet : Yes
Index : Yes
Speaking order : Yes
Neutral Citation : Yes

To

1. The Sub-Collector,
O/o. The Sub-Collector,
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Salem District.
2. The District Revenue Officer,
Salem,
Salem District.
3. The Revenue Divisional Officer,
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4. The Tahsildar,
O/o. of the Taluk Office,
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N. SATHISH KUMAR, J.

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