



W.P.(MD)No.1979 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 24.01.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.1979 of 2025

and

W.M.P.(MD)No.1396 of 2025

A.Kaliyammal

... Petitioner

Vs.

1.The District Collector,
O/o. Collectorate,
Theni District.

2.The Tahsildar,
O/o. Tahsildar,
Theni.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records to the rejection order on the petitioner's application for issuance of legal heir certificate of petitioner's deceased husband, namely, Ayyachamy, in Oo.Mu.No. 8983/2023/A13 dated 21.02.2024, passed by the 2nd respondent and to quash the same and to direct the 2nd respondent to issue legal heir certificate to the petitioner.

For Petitioner	: Mr.S.Ramanathan
For Respondents	: Mr.D.S.Neduncheliyan Government Advocate

ORDER

Challenging the rejection order of the petitioner's application for legal



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heir certificate dated 21.02.2024, this Writ Petition is filed.

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2.Heard the learned counsels on either side and carefully perused the entire materials available on record.

3.The petitioner is the wife of one late Ayyachamy, who passed away on 20.08.2023. He possessed two wives including the petitioner. The petitioner is the first wife of the deceased Ayyachamy. However, the deceased Ayyachamy was blessed with five children, namely, Meenambal, Pappathiyammal, Saraswathi, Murugesan and Srinivasan through the petitioner and yet another girl child Jaya through his second wife, Neelavathi. However, Neelavathi had later separated from the petitioner and the child had been taken care by herself. In view of the same, the petitioner required the respondents to grant legal heir certificate, incorporating the children of both the wives. On the said grounds, the application of the grant of legal heir certificate is rejected. Hence, the Writ Petition is filed.

4.The learned Government Advocate appearing for the respondents submitted that there is an online portal facility for making application for grant of legal heir certificate and the portal do not have facility to accept the application in the cases of persons having two wives. The petitioner may be directed to apply an application in the offline application and the same will be appreciated.



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5. Recording the said submission, the impugned order is hereby quashed and this Court hereby direct the petitioner to apply an application with all necessary documents in offline mode. On receipt of the same, the respondents are directed to issue legal heir certificate, incorporating the petitioner's name as well as the deceased Ayyachamy's children through both the wives within a period of four weeks from the date of receipt of copy of this order. Hence, this Writ Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

24.01.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
Mrn

To

1. The District Collector,
O/o. Collectorate,
Theni District.

2. The Tahsildar,
O/o. Tahsildar,
Theni.



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L.VICTORIA GOWRI, J.

Mrn

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