



W.P(MD)No.2553 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.07.2025

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)No.2553 of 2024

and

W.M.P(MD)Nos.2555 and 2560 of 2024

Asma

... Petitioner

Vs.

1.The District Collector,
O/o.The District Collector,
Madurai.

2.The Revenue Divisional Officer,
O/o.Revenue Divisional Officer,
Madurai District.

3.The Tahsildar,
Melur Taluk,
Madurai District.

4.Kansulmahariffa

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the third respondent dated 11.06.2023 in the application for Legal Heir Certificate made by the Petitioner vide Application No.TN-720230526950 and quash the same as illegal and consequentially to direct the third respondent to issue legal heir certificate of



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her deceased husband including the name of the petitioner and her children within the period that may be stipulated by this Court.

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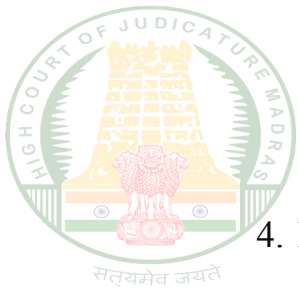
For Petitioner	: Mr.P.Mohammed Suhail For M/s.Ajmal Associates
For R1 to R3	: Mr.D.Ghandiraj Special Government Pleader
For R4	: Mr.a.Prasanna Rajadurai

ORDER

This writ petition has been filed challenging the order dated 11.06.2023 passed by the third respondent and consequently directing the third respondent to issue legal heir certificate of her deceased husband including the name of the petitioner and her children.

2. The petitioner claims to be the second wife of Late.Ibrahimsa and she had approached the third respondent for issuance of a legal heir certificate.

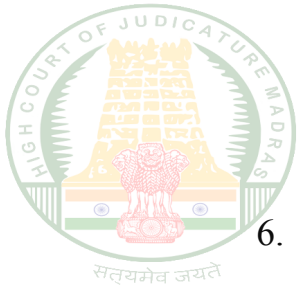
3. The learned counsel for the fourth respondent confirms that that the fourth respondent is the first wife of Late.Ibrahimsa and that the marriage was solemnized in accordance with Muhammadan Law.



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4. In view of the above, the reasons stated in the impugned order that the petitioner's husband Late.Ibrahimsa has two wives and therefore, the petitioner should work out the remedy before the Court of law cannot be countenanced. Under Muhammadan Law, Muhammadan is entitled to have more than one wife.

5. Considering the same, the impugned order dated 11.06.2023 is quashed with a direction to the third respondent to issue a legal heir certificate of her husband Late.Ibrahimsa incorporating the petitioner's name as well as the fourth respondent as legal heirs along with all other legal heirs in accordance with the Shariat Law. The petitioner and the fourth respondent shall file necessary affidavit and the certificate giving the status of the other legal heirs whose name have to be included in the legal heir certificate. The exercise shall be completed within a period of 6 weeks from the date of receipt of a copy of this order.



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6. The writ petition stands allowed. No costs. Consequently, the connected miscellaneous petitions are closed.

16.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The District Collector,
O/o.The District Collector,
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- 2.The Revenue Divisional Officer,
O/o.Revenue Divisional Officer,
Madurai District.
- 3.The Tahsildar,
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C.SARAVANAN, J.

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