



W.P.(MD)No.11242 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.11242 of 2025

and

W.M.P.(MD)No.8382 of 2025

Sankaralingam

... Petitioner

-VS-

The Thasildar,
Kadayanallur Taluk,
Tenkasi District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records impugned on-line rejection order Nil dated passed by respondent in Application No. TN-7202503102369 and quash the same and consequently, direct the respondent to issue the Legal Heir Certificate of Late Periya Madan alias Madan, son of Chinna Madan, who was died on 18.11.1988 at Echampottal Pudur Village, Kadayanallur Taluk, Tenkasi District.

For Petitioner : Mr.V.Muthuvelan

For Respondent : Mr.J.K.Jayaselan
Government Advocate



W.P.(MD)No.11242 of 2025

WEB COPY

ORDER

This Writ Petition is filed challenging the impugned order passed by the respondent in the application of the petitioner bearing Application No.TN-7202503102369.

2. The legal heirship certificate was applied by the petitioner in respect of the death of one Periya Madan alias Madan, who died on 18.11.1988. It seems that the death has been reported, but, so far, legal heirship certificate was never applied for. The respondent conducted an enquiry. Since he could not come to a conclusion as to who are the legal heirs, the application was rejected.

3. Once the death is reported, when an application is made for legal heirship certificate, it has to be determined as to who are the legal heirs. Even if there is no other proof, the petitioner can be directed to file affidavits and he can also arrange for five affidavits of the persons known to the family which will include relatives and neighbours. On that basis, the report has to be forwarded to the respondent and ultimately, when there is no rival claim, each and every fact cannot be verified in view of the efflux of time. The best judgment has to be made



W.P.(MD)No.11242 of 2025

on the basis of the available materials and the persons have to be declared as legal heirs.

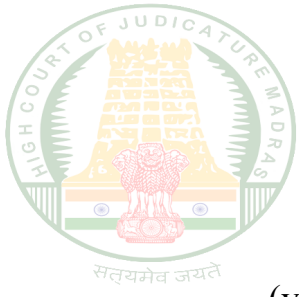
4. In view thereof, this Writ Petition is disposed of on the following terms:-

(i) The impugned order passed by the respondent shall stand set aside;

(ii) The petitioner shall appear before the respondent for further enquiry on **06.05.2025** and the respondent shall insist such documents/affidavits or relegate him to the concerned Revenue Inspector for further enquiry and the authorities shall make further enquiry and come to a conclusion by their best judgment as to who are all the legal heirs and include the names of that persons and issue legal heirship certificate;

(iii) The above exercise shall be completed within a period of 12 weeks from the date of receipt/production of a web-copy of this order without waiting for a certified copy of this order;

(iv) If necessary, until permission is granted to the respondent to reopen the same application, the parties can make a fresh application also;



W.P.(MD)No.11242 of 2025

WEB COPY

(v) There shall be no order as to costs. Consequently, connected
Miscellaneous Petition is closed.

NCC : Yes / No
Index : Yes / No
smn2

22.04.2025

To:-

The Thasildar,
Kadayanallur Taluk,
Tenkasi District.



WEB COPY



W.P.(MD)No.11242 of 2025

VIVEK KUMAR SINGH, J.

smn2

W.P.(MD)No.11242 of 2025

22.04.2025