



W.P.(MD) No.16976 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

**W.P.(MD) No.16976 of 2025
and
W.M.P.(MD) No.12889 of 2025**

T.Palaniyammal

... Petitioner

Vs

The Tahsildar,
Natham Taluk,
Dindigul District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the respondent in Application Number. TN-7202504301969 dated Nil.2025 and quash the same as illegal and unconstitutional, consequentially direct the respondent to issue legal heir certificate based on judgment and decree in O.S.No. 48 of 2022 on the file of District Munsif cum Judicial Magistrate Court, Natham, Dindigul District dated 29.11.2024.



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For petitioner : Mr. A.Vadivel
For respondent : Mr.K.R.Badurus Zaman
Government Advocate

ORDER

This Writ Petition is disposed of at the time of admission after hearing the learned counsel for the petitioner and learned Government Advocate for the respondent.

2. The petitioner has challenged the impugned communication issued by the respondent/Tahsildar, whereby the request of the petitioner for issuance of Legal Heir Certificate has been rejected on the ground of the objection raised by one Ragunathan. The said Ragunathan appears to be a son of the petitioner's deceased father, namely, Marudhaiveeran, who appears to have been contracted a second marriage during the subsistence of the first marriage with one Kanniyammal.

3. It is noticed that the petitioner, along with her sister Pandiammal had approached the District Munsif-com-Judicial Magistrate, Dindigul in O.S.No.48



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of 2022 for declaration that all the child sired by the petitioner's father through petitioner's mother, namely, Thadagathi and the second wife, namely, Kanniyammal are the legal heirs and had secured favourable judgement and degree from the said Court in O.S.No.48 of 2022 on 29.11.2024. This aspect ought to have been considered by the respondent before rejecting the application for issuance of Legal Heirs Certificate to the petitioner. Unless of course, the said decision has been put to parde as the said Legal Heir Certificate has been objected by the said Ragunathan.

4. Considering the judgement and degree passed by the civil Court in the suit in O.S.No.48 of 2022, the impugned order is liable to be quashed and accordingly, quashed with the direction to the respondent to re-consider the application filed for the issuance of Legal Heirs Certificate to the petitioner including the name of the persons, who have been declared as legal heirs of the petitioner's deceased father, Marudhaiveeran.

5. Needless to state, before passing such order, notice shall be issued to



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the said Ragunathan, who appears to have been raising objection.

6. This exercise shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order.

7. This Writ Petition is disposed of, with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
Internet : Yes / No
apd

24.06.2025

To

The Tahsildar,
Natham Taluk,
Dindigul District.



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C.SARAVANAN, J.

apd

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