



W.P(MD)No.17973 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2025

WEB COPY

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.17973 of 2025

T.Paneer Serlvam

... Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Thanjavur,
Thanjavur District.

2. The Thasildhar,
Papanasam Taluk,
Taluk Office Papanasam,
Thanjavur District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, by calling for the records pertaining to the 2nd respondent in Oo.Mu.No. 2003-2025-A4 dated 08.05.2025 and to quash the same as illegal and contrary in law consequently direct the 2nd respondent to register and issue the Death Certificate of deceased brother T.Kaliyamoorthy who died on 11.10.2023 at Konnancheri, Kabisthalam Circle, Papanasam Taluk, Thanjavur District based on the petitioner's representation dated 05.03.2025.

For Petitioner : Mr.T.R.Subramanian

For Respondents : Mr.M. Lingadurai,
Special Government Pleader



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ORDER

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The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus to quash the impugned order dated 08.05.2025 passed by the 2nd respondent and consequently direct the 2nd respondent to register and issue the Death Certificate of deceased brother T.Kaliyamoorthy, based on the petitioner's representation dated 05.03.2025.

2. Through the impugned order the 2nd respondent has stated that the said T.Kaliyamoorthy has married four wives.

3. The learned counsel appearing for the petitioner submitted that he has only one family, and the petitioner is his legal heir. He further submitted that the said T. Kaliyamoorthy never married, and he is not aware of any family or legal heirs at all. However, since the petitioner is a third-class legal heir, he cannot claim legal heirship.

4. Considering the facts of the case, this Court is of the considered opinion that the issue raised ought to be resolved by granting opportunity to the writ petitioner. Therefore, the impugned order passed by the 2nd respondent dated 08.05.2025 is hereby set aside. The 2nd respondent is directed to conduct an enquiry by issuing notice to the petitioner as well as to the alleged family/legal



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heirs mentioned in the impugned order. The petitioner shall submit all relevant documents, including the nomination roll submitted to the State Bank of India.

After considering the matter, the 2nd respondent shall pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above observations, this Writ Petition is disposed of.

There shall be no order as to costs.

03.07.2025

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

Ksa

To:

1. The District Collector,
Office of the District Collector,
Thanjavur,
Thanjavur District.
2. The Thasildhar,
Papanasam Taluk,
Taluk Office Papanasam,
Thanjavur District.



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S.SRIMATHY, J.

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**ORDER MADE IN
W.P(MD)No.17973 of 2025**

DATED : 03.07.2025