



W.P.(MD)No.1431 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17.10.2025

CORAM:

THE HON'BLE MS.JUSTICE P.T.ASHA

**W.P.(MD).No.1431 of 2018**  
**and**  
**W.M.P(MD)No.1490 of 2018**

Dr.Sankari

... Petitioner

Vs.

1. The District Collector,  
Karur District, Karur,
2. The Revenue Divisional Officer,  
Kulithalai, Karur District.
3. The Tahsildar,  
Kulithalai, Karur District.
4. The Deputy Tahsildar,  
Kulithalai, Karur District.
5. Mrs.Thangarathiram

6. Mrs.Meena

... 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 orders made in Na.Ka.No.A6/7225/2017 dated 22.12.2017 passed by the 2nd respondent



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and the order made in Na.Ka.No.A2/111/2018 dated 08.01.2018 passed by the 3rd respondent quash the same and consequently direct the respondents 2 and 3 to restore the legal heir certificate made in Pa.Mu.A7/3344/2015 dated 15.05.2015 issued by the 3rd respondent.

For Petitioner : Mr.S.Vashik Ali

For R1 to R4 : Mr.A.Kannan  
Additional Government Pleader

For R6 : Mr.P.P.Alwin Balan

### **ORDER**

The above writ petition has been filed for the following relief:-

*“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 orders made in Na.Ka.No.A6/7225/2017 dated 22.12.2017 passed by the 2nd respondent and the order made in Na.Ka.No.A2/111/2018 dated 08.01.2018 passed by the 3rd respondent quash the same and consequently direct the respondents 2 and 3 to restore the legal heir certificate made in Pa.Mu.A7/3344/2015 dated 15.05.2015 issued by the 3rd respondent.”*



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2. It is the case of the petitioner that she was born to one K.Paneerselvam and Thangarathinam on 18.01.1985. The petitioner had an elder brother namely P.Vinothkumar who was born on 30.12.1979. The marriage between the petitioner's parents were dissolved by a decree in H.M.O.P.No.41 of 1990 on the file of the Sub-Court, Trichy.

3. The petitioner would submit that in all his official records, his father's name has been rightly described as K.Panneerselvam and even in the divorcé petition the petitioner has been described as the daughter of K.Paneerselvam.

4. The petitioner would submit that after the death of her father on 20.04.2015, they had obtained a Legal Heir certificate showing her brother P.Vinothkumar and herself as the legal heirs. However, her brother P.Vinothkumar passed away on 02.01.2016 under mysterious circumstances leaving behind his mother, his wife namely Meena and his two children as the surviving legal heirs. It appears that the said Meena had obtained Legal Heir Certificate on 12.01.2016, reflecting only her



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name and that of the two children as the legal heirs of the deceased P.Vinothkumar, leaving out the mother of the petitioner.

5. The petitioner would submit that her mother had filed a writ petition challenging the same in W.P.3948 of 2016 and her mother had also filed a complaint against the said Meena and Ranjith in C.C.No.78 of 2016 on the file of the Judicial Magistrate No.II, Kulithalai. Thereafter, by an order dated 28.04.2016 in CrI.O.P(MD)No.7259 of 2016, this Court had directed the inclusion of the name of the said Thangarathinam in the Legal Heir Certificate of the deceased P.Vinothkumar. Consequently, the 2<sup>nd</sup> respondent had cancelled the Legal Heir Certificate dated 12.01.2016 and issued a fresh Legal Heir Certificate including the name of Thangarathinam.

6. The petitioner would submit that meanwhile she had been called for an enquiry by the Tahsildar, Alathur regarding the grant of patta in favour of Meena and her children. The said Meena claims that the petitioner's father had executed a unregistered 'Will' dated 14.06.2013 in favour of her husband namely P.Vinothkumar. The petitioner doubts the



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authenticity of the said unregistered 'Will' and despite her objection Patta had been issued in favour of Meena and the children by the Tahsildar, Alathur vide order dated 14.10.2016. An appeal was preferred by the petitioner to the Revenue Divisional Officer, Perambalur and the orders were yet to be passed in the appeal. Meanwhile, the petitioner filed a suit in O.S.No.69 of 2017, on the file of the District Court, Trichy. The petitioner's paternal uncle who had no *locus standi* filed O.S.No.245 of 2017, on the file of the District Munsif Court, Kulithalai for declaration that the petitioner was not the daughter of late K.Panneerselvam. While so, the impugned order had been passed on 20.12.2017 cancelling the Legal Heir Certificate dated 15.05.2015. Order has been passed without giving any opportunity of a personal hearing to the petitioner and in fact the notice of enquiry had been received by the petitioner after the death of enquiry. The petitioner challenges the impugned order on the ground of the same having been passed without notice to the petitioner.

7. Heard the learned counsel on either side.



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8. Perusal of the records particularly the objection filed by K.Panneerselvam before the Sub Court, Trichy in H.M.O.PNo.41 of 1990, seeking dissolution of his marriage with the petitioner's mother Thangarathinam clearly stated that he had a son namely P.Vinothkumar, who is aged 10 years and a daughter namely Sankari, who is aged 5 years. The said Sankari is the petitioner herein. The statement has been made by the said K.Paneerselvam himself. The Transfer Certificate issued to the petitioner by the Little Fairys Matriculation School, Trichy and S.R.V.Higher Secondary School, Rasipuram and even the 'Will' projected by the said Meena clearly described the petitioner as the daughter of K.Panneerselvam. Despite the same, the impugned order dated 22.12.2017 and 08.01.2018 came to be passed.

9. A mere perusal of the impugned order dated 22.12.2017 and 08.01.2018 would clearly show that the petitioner has not been given an opportunity to put forward all these documents to show that she is a legal heir of the said Mr.K.Panneerselvam.



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10. Therefore, the impugned order dated 22.12.2017 and 08.01.2018 is set aside. Accordingly, the writ petition stands allowed and the 3<sup>rd</sup> respondent Tahsildar is directed to restore the Legal Heir Certificate to its earlier position. It is informed that there are litigation pending between the parties and the Court shall take steps to expedite the hearing.

11. With these directions, the writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

**17.10.2025**

NCC :yes/No  
Index :yes/No  
Internet:yes/No  
rgm



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**P.T.ASHA, J.**

rgm

To

1. The District Collector,  
Karur District, Karur,
2. The Revenue Divisional Officer,  
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3. The Tahsildar,  
Kulithalai, Karur District.
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