



W.P.(MD).No.19428 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.07.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD) No.19428 of 2025

Thavittammal

... Petitioner

Vs.

1.The District Collector,
District Collector Office,
Tenkasi District.

2.The Tahsildar,
Thiruvengadam Taluk Office,
Tenkasi District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct 2nd respondent to issue the legal heir certificate to the petitioner's deceased father namely Madasamy son of Irulan, based on the petitioner's representation, dated 21.11.2024 and subsequent representation, dated 30.06.2025 within a stipulated time that may be fixed by this Court.

For Petitioner

: Mr.P.Ponraj

For Respondents

: Mr.K.R.Badurus Zaman
Government Advocate



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ORDER

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

2. This Writ Petition has been filed for the issuance of a Writ of Mandamus, directing the second respondent to issue a legal heir certificate in respect of the petitioner's deceased father, late Madasamy, based on the petitioner's representations dated 21.11.2024 and 30.06.2025.

3. The learned Government Advocate would submit that during the subsistence of his first marriage, the petitioner's father, late Madasamy, had contracted a second marriage with one Selliymmal. Hence, it is submitted that the petitioner cannot be considered a legal heir of late Madasamy, who died on 11.06.1998.

4. The second respondent, through a communication dated 16.07.2025 bearing reference Na.Ka.TGMTLK/628/2025-A3, has objected to the



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petitioner's claim on the ground that the petitioner's father had contracted a second marriage during the subsistence of his first marriage with one Velammal.

This stand of the respondents cannot be countenanced.

5. If the petitioner is indeed the daughter of late Madasamy through his second wife, namely Selliymmal, the petitioner will be entitled to a legal heir certificate by incorporating her name as one of the legal heir of the late Madasamy through his second wife. The second respondent is therefore directed to call for a report from the jurisdictional Village Administrative Officer, after an enquiry and thereafter pass appropriate orders on the petitioner's representations, dated 21.11.2024 and 30.06.2025, for including the name of the petitioner along with the other legal heirs of late Madasamy.

6. This exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order, after issuing due notice to the first wife of late Madasamy, namely Velammal, and to the children through the first wife, if any.



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6. With the above directions, this Writ Petition is disposed of. No costs.

18.07.2025

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

To

- 1.The District Collector,
District Collector Office,
Tenkasi District.
- 2.The Tahsildar,
Thiruvengadam Taluk Office,
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C.SARAVANAN, J.

Indu

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