



W.P(MD)No.22983 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)No.22983 of 2025

A.Poongodi

... Petitioner

Vs.

1.The District Collector,
Karur District, Karur.

2.The Tahsildar,
Manmangalam Taluk,
Karur District.

3.Sakthivelu

4.Sathya @ Sathyavani

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to issue Legal Heir Certificate and Non Employment Certificate to the petitioner on the basis of the petitioner's representation dated 17.03.2025, within the time frame as may be fixed by this Court.

For Petitioner : Mr.V.Balaji

For Respondents : Mr.K.R.Badurus Zaman
Government Advocate



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ORDER

This writ petition has been filed for a writ of Mandamus to direct the respondents to issue Legal Heir Certificate and Non Employment Certificate to the petitioner, by considering the petitioner's representation dated 17.03.2025,

2. The writ petition is disposed of at the time of admission after dispensing with notice on the respondents 3 and 4, as no adverse orders are proposed to be passed against them.

3. The learned counsel for the petitioner submits that although the respondents 3 and 4 have not objected to the issuance of a legal heir certificate including the petitioner as the wife of her husband, Late.R.Aruputhanathan, the second respondent has declined to issue the legal heir certificate. It is submitted that the petitioner is the legally wedded wife of Late.R.Aruputhanathan, who died on 10.08.2023.

4. The learned counsel for the petitioner draws attention to the death certificate, dated 18.08.2023, wherein, the petitioner's name was recorded as



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the wife of Late.R.Aruputhanathan. Similarly, a widow certificate dated 11.09.2023 also reflects the petitioner's name as the wife of Late.R.Aruputhanathan,

5. It is submitted that a pension pay order has been issued including petitioner's name as the wife of Late.R.Arputhanathan and she has been entitled to family pension of Rs.7,897/- payable up to 31.05.2023 or for a period of 10 years from the date of death, whichever is earlier.

6. It is submitted that despite the same, the respondents are declining to issue a legal heir certificate to the petitioner.

7. The learned Government Advocate for the respondents 1 and 2 submits that based on an enquiry it was found that the petitioner is the second wife. It is submitted that the Late.R.Aruputhanathan, married one Malarkodi, who died on 25.11.2024.

8. That apart, it is submitted that apart from the respondents 3 and 4, the petitioner has a son through Late.R.Aruputhanathan, namely, Kaliyamoorthy, who has not been made as a party in the proceeding. It is submitted that at



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best, the respondents 3 and 4 and her son Kaliyamoorthy is entitled to be included in the legal heir certificate. As the marriage with the said Late.R.Aruputhanathan, cannot be considered to be a Marriage as per the Hindu Marriage Act, 1955, the first wife of the Late.R.Aruputhanathan died only on 25.11.202 without any divorce.

9. Having considered the submissions made by the learned counsel for the petitioner and the learned Government Advocate for the official respondents, this writ petition is disposed of by directing the second respondent to call the respondents 3, 4 and also the petitioner's son, Kaliyamoorthy for an enquiry and thereafter, proceed to examine whether the petitioner is entitled for inclusion of her name in the legal heir certificate, as the wife of Late.R.Aruputhanathan, who died on 10.08.2023. The entire exercise shall be completed within a period of three months from the date of receipt of a copy of this order. No costs.

25.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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C.SARAVANAN, J.

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