



W.P(MD)No.23978 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.23978 of 2025

and

W.M.P(MD)No.18814 of 2025

P.Jeyanthi

..Petitioner

Vs

1.The District Collector
O/o.The District Collectorate,
Madurai.

2. The Revenue Divisional Officer
O/o.The Revenue Divisional Officer,
Madurai District.

3. The Tahsildar,
Vadipatti Taluk,
Madurai District.

4. Ranjitham,

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records relating to the order passed by the 3rd respondent in his proceedings in Na.Ka.No.Aa4/3469/2024 dated 28.08.2025 and quash the same as illegal and consequently to direct the 3rd Respondent to issue Legal Heir Certificate of her deceased father viz., Late.G.Ponnuraj arraying the Petitioner as the sole legal heir within the period that may be stipulated by this Court.



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For Petitioner : Mr.P.Mohamed Suhail for
M/s Ajmal Associates

For Respondents : Mrs.D.Farjana Goushia
Spl. Govt. Pleader (for R1 to R3)

ORDER

This writ petition has been filed challenging the impugned order passed by the third respondent in proceedings Na.Ka.No.Aa4/3469/2024 dated 28.08.2025, and for a consequential direction to the third respondent to issue a Legal Heir Certificate in respect of the petitioner's deceased father, Late G. Ponnuraj, by arraying the petitioner as the sole legal heir.

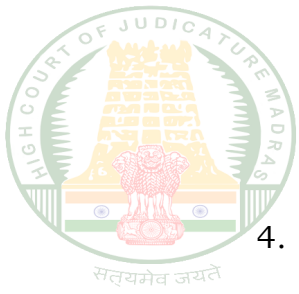
2. The petitioner would submit that her father, Late G.Ponnuraj, and her mother, Late S.Suganthi Gnanamalar, got married on 29.05.1962, and the said marriage was solemnized at CSI Church, Sempatti. The marriage was duly recorded in the Marriage Returns maintained by the Registrar General of Births, Deaths and Marriages, Diocese of Madurai-Ramnad – CSI. The petitioner is the only child born out of the said wedlock. While so, the petitioner's mother passed away on 12.12.2022, during the lifetime of her father. Consequently, the petitioner applied for a legal heir certificate of her mother, and the Tahsildar, Madurai North Taluk, issued the legal heir certificate on 23.01.2023, endorsing that her father, G.Ponnuraj, and the petitioner are the only legal heirs of her mother. Thus, it is evident that the



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petitioner is the one and only legitimate child of her parents. Subsequently, the petitioner's father passed away on 16.06.2024, and the death certificate dated 24.06.2024 was issued by the Madurai Corporation. Thereafter, the petitioner applied for issuance of a legal heir certificate of her father. However, the said application was rejected on the ground that the fourth respondent, who claims to be the second wife of the petitioner's late father, had filed an objection contending that her name should also be included in the legal heir certificate.

3. Challenging the said rejection, the petitioner filed W.P.(MD) No. 19111 of 2024 before this Court. By order dated 07.08.2024, this Court quashed the rejection order passed by the third respondent on the ground that it was a non-speaking order, passed without conducting any enquiry, and remitted the matter back to the third respondent for fresh consideration after enquiry. Pursuant thereto, an enquiry was conducted, during which it was stated that the fourth respondent is the second wife of the deceased G.Ponnuraj. Thereafter, the third respondent proceeded to pass the impugned order, alleging that the petitioner's father had executed a Will dated 30.07.2021 in favour of the fourth respondent, registered as Document No.31/2021 on the file of the Sub Registrar, Alanganallur. Aggrieved by the said impugned order, the petitioner has once again approached this Court by way of the present writ petition.



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4. The issue raised in this writ petition pertains to the issuance of a legal heir certificate. Such a question involves the adjudication of disputed facts regarding succession and legal heirship, which is essentially a civil dispute. It is well settled that controversies of this nature, requiring detailed examination of evidence, cannot be resolved in a writ proceeding under Article 226 of the Constitution of India. The appropriate remedy for the petitioner would be to approach the competent civil court for adjudication. Therefore, this writ petition is not maintainable and stands dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

04.09.2025

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

To

1. The District Collector
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2. The Revenue Divisional Officer
O/o.The Revenue Divisional Officer,
Madurai District.
3. The Tahsildar,
Vadipatti Taluk,
Madurai District.



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P.T.ASHA, J.

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