



W.P.(MD) No.26717 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.09.2025

CORAM:

THE HONOURABLE Ms.JUSTICE P.T.ASHA

W.P.(MD) No.26717 of 2025
and W.M.P(MD).No.20717 of 2025

Revathy

... Petitioner

-VS-

1.The Revenue Divisional Officer,
Aruppukottai, Virudhunagar District.

2.The Tahsildar,
Thiruchuzhi, Virudhunagar District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings of the first respondent in Pa.Mu.A5/2540/2025 dated 29.08.2025 and quash the same and direct the respondents to hold appropriate and proper and a fair enquiry as to the legal heirs and issue a fresh legal heir certificate with all the legal heirs of the deceased.

For Petitioner : Mr.V.R.Shanmuganathan



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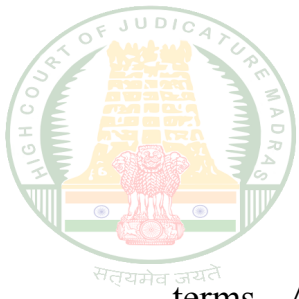
For Respondents : Mr.A.Kannan
Additional Government Pleader

ORDER

This writ petition has been filed to quash the impugned proceedings of the first respondent in Pa.Mu.A5/2540/2025 dated 29.08.2025 and consequential direction to the respondents to hold a fair enquiry as to the legal heirs and issue a fresh legal heir certificate adding all the legal heirs of the deceased.

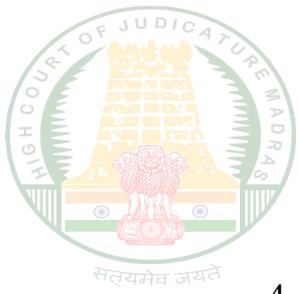
2. Heard the learned counsel appearing for the petitioner and Mr.A.Kannan, learned Additional Government Pleader, who takes notice on behalf of the respondents. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

3. It is the case of the petitioner that her father, namely, Azhagar, had two wives, Kamatchi and Mallika, mother of the petitioner herein, and both of them are sisters. He died on 30.02.1996. He had two sons and two daughters through his first wife and through his second wife, he had a daughter, petitioner herein. Since the first wife was the sister of the petitioner's mother, they were in good



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terms. After the death of the petitioner's father, the issues born through his first wife are attempting to deal with the property owned by Azhagar by excluding the petitioner. Hence, the petitioner applied a legal heirship certificate with the second respondent on 04.03.2025, however the same has been rejected on the ground that already a legal heir certificate has been issued by the Aruppukottai Revenue Tahsildar's Office (Certificate No.P.M.(A5)/3860/2010, dated 19.10.2010). It is the contention of the petitioner that the said legal heir certificate was obtained excluding the petitioner and her mother. Challenging the rejection order of the second respondent, the petitioner has filed W.P(MD).No. 9412 of 2025 and the same was disposed of by this Court giving liberty to the petitioner to exhaust the appeal remedy. Thereafter, the petitioner filed an appeal before the first respondent on 21.04.2024, but the same was rejected vide order dated 29.08.2025 on the ground that as per G.O.No.478, dated 29.09.2022, Serial No.79(IV), an appeal against the order of the Tahsildar must be filed within one year and hence, it is time barred. Challenging the same, the petitioner is before this Court.



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4. This Court has perused the impugned order. There appears to be no error. That apart, 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.

25.09.2025

NCC : Yes/No
Index : Yes/No
Rmk

To
1.The Revenue Divisional Officer,
Aruppukottai, Virudhunagar District.

2.The Tahsildar,
Thiruchuzhi, Virudhunagar District.



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P.T.ASHA, J.

Rmk

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