



W.P(MD)No.29449 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.10.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.29449 of 2025

and

W.M.P(MD)No.22767 of 2025

Mohaideen Sherif

..Petitioner

Vs

1. The Additional Chief Secretary/Commissioner,
Revenue Administration
Government of Tamil Nadu
Chennai.

2. The District Collector
Tirunelveli District
Tirunelveli.

3. The Tahsildar
Tirunelveli Taluk
Tirunelveli
Tirunelveli District.

..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 impugned rejection order dated 28.06.2025 passed by the 3rd respondent and quash the same as illegal and consequently direct the 3rd respondent to issue the Legal Heir Certificate in favour of the petitioner within a time to be stipulated by this Court.



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For Petitioner : Mr.M.Dhinakar

For Respondents : Mr.A.Kannan
Addl. Govt. Pleader

ORDER

This writ petition has been filed challenging the impugned rejection order dated 28.06.2025 passed by the third respondent and seeking a direction to the third respondent to issue a Legal Heir Certificate in favour of the petitioner within a time to be stipulated by this Court.

2. The petitioner would submit that on 23.10.1990, he married one Mymoon Banu, and out of the said wedlock, they had two daughters and one son, all of whom are residing with him. While so, on 21.06.2002, the said Mymoon Banu died. Thereafter, on 04.08.2002, the petitioner married another woman, namely, Balkis Banu. Out of the said marriage, one male child was born. It is stated that the said Balkis Banu was a widow at the time of her marriage with the petitioner. Her first husband was one A.S.Habibulla, with whom she got married on 26.06.1986. They had no children, and her first husband died on 31.12.1994 due to ill health. Subsequently, the said Balkis Banu died on 30.04.2024, leaving behind the petitioner, her mother, and their only male child as her legal heirs. Hence, the petitioner submitted an online application before the third respondent seeking the issuance of a Legal Heir Certificate. Since the same has not been considered, the petitioner has approached this Court.



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3. The learned Additional Government Pleader appearing for the respondents would submit that the only apprehension of the respondents is whether the said Balkis Banu had any issue through her earlier marriage with A.S.Habibulla, and if so, such person would also have to be included as a legal heir.

4. The learned counsel for the petitioner would submit that the said Balkis Banu did not have any issue through her first marriage.

5. In view of the above submissions, the petitioner shall file an affidavit to the effect that Balkis Banu did not have any issues through her first husband A.S.Halibullah. Upon receipt of such affidavit, the Legal Heir Certificate shall be issued in favour of the petitioner.

6. This writ petition is allowed accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

29.10.2025

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



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P.T.ASHA, J.

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