



W.P.(MD)No.31922 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 11.11.2025

CORAM:

THE HON'BLE MS.JUSTICE P.T.ASHA

W.P.(MD).No.31922 of 2025

and

W.M.P(MD)No.25108 of 2025

K.Premkumar

... Petitioner

Vs.

1. The District Collector,
Madurai District.
2. The Revenue Divisional Officer.
Revenue Divisional Office,
Madurai.
3. The Tahsildar,
Madurai West Tahsildar Office,
Madurai.
4. P.Arul alias ArulMozhi thevan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Certiorarified Mandamus, calling for the entire records of the 3rd respondent proceedings relating to the impugned rejected of issuing the legal heir certificate to the petitioner pursuant to Application Number TN-720250908939 dated 20.09.2025, quash the same as illegal and consequentially, directing the 1 to 3rd respondents to



W.P.(MD)No.31922 of 2025

conduct proper enquiry to issue Legal Heir certificate of Late Mrs.K.Manoharam (died on 04.06.2025) based on petitioners application including her second husband kannan and her son premkumar as legal heirs.

For Petitioner : Mr.G.Sakthi Rao
For R1 to R3 : Mrs.S.Jeya Priya
Government Advocate

ORDER

The above writ petition has been filed for the following relief:-

“Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Certiorarified Mandamus, calling for the entire records of the 3rd respondent proceedings relating to the impugned rejected of issuing the legal heir certificate to the petitioner pursuant to Application Number TN-720250908939 dated 20.09.2025, quash the same as illegal and consequentially, directing the 1 to 3rd respondents to conduct proper enquiry to issue Legal Heir certificate of Late Mrs.K.Manoharam (died on 04.06.2025) based on petitioners application including her second husband kannan and her son premkumar as legal heirs.”

2. Mrs.S.Jeya Priya, learned Government Advocate takes notice on behalf of the respondents 1 to 3.



W.P.(MD)No.31922 of 2025

3. By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself. Since no adverse orders to be passed against the 4th respondent, notice to the 4th respondent is dispense with.

4. The case of the petitioner is that the petitioner's mother namely Manoharam had married one Peyandithevar. Out of the wedlock, two sons were born namely Arul / 4th respondent herein and Prasanna. While so, the said Peyandithevar had passed away on 05.06.1980. The petitioner's mother had also obtained legal heir certificate on 20.06.1980. Thereafter, the petitioner's mother had married one Kannan on 23.11.1981. Out of the wedlock the petitioner was born on 05.06.1986. Thereafter, the petitioner's mother namely K.Manoharam, had passed away on 04.06.2025, leaving behind her first husband's son namely Arul / 4th respondent herein, Prasanna and the petitioner herein as the surviving legal heirs.

5. In this connection, the petitioner has submitted an application for issuance of legal heir certificate before the 3rd respondent on 15.09.2025. However, the same was rejected based on the objections raised by the 4th respondent, who is the brother of petitioner.



W.P.(MD)No.31922 of 2025

WEB COPY

6. The learned counsel appearing for the petitioner submits that due to a family dispute, the 4th respondent, who is employed at the Collector's Office, Madurai, is using his influence to obstruct the authorities from issuing legal heir certificate to the petitioner.

7. He would further submit that without conducting proper enquiry, the 3rd respondent has passed the impugned order dated 20.09.2025, only on the basis of the objections raised by the 4th respondent which is against principles of natural justice. Therefore, he seeks to quash the impugned order dated 20.09.2025.

8. Heard the learned counsel on either side.

9. Considering the fact that the impugned order is a non-speaking order passed in violation of the principles of natural justice, the impugned order dated 20.09.2025 is set aside as the same is a non-speaking one line order.



W.P.(MD)No.31922 of 2025

WEB COPY

10. Accordingly, the writ petition stands allowed and the matter is remitted back to the 3rd respondent, who shall consider the application afresh, after affording a reasonable opportunity to the petitioner and the 4th respondent, receive their objections and thereafter, pass appropriate orders on merits and in accordance with law. The said exercise shall be completed within a period of two (2) weeks from the date of receipt of a copy of this order.

11. With these directions, the writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

11.11.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm



WEB COPY



W.P.(MD)No.31922 of 2025

P.T.ASHA, J.

rgm

To

1. The District Collector,
Madurai District.
2. The Revenue Divisional Officer.
Revenue Divisional Office,
Madurai.
3. The Tahsildar,
Madurai West Tahsildar Office,
Madurai.

W.P.(MD).No.31922 of 2025
and
W.M.P(MD)No.25108 of 2025

11.11.2025