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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.12.2025

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.35016 of 2025

Rajathi

...Petitioner

Vs

1. The District Collector,
Dindigul District,
Dindigul.

2. The Tahsildar,
Natham Taluk,
Dindigul District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of MANDAMUS to direct the 2nd respondent to include the petitioner as one of legal heirs of her husband deceased Perumal S/o.Alagan in legal heir certificate in Pa.Mu.No.4957/2025/a5 dated 06/11/2025 and re-issue the same based on the petitioner's representation dated 10.11.2025 within stipulated time fixed by this Court.

For Petitioner : M/s.M.Ramu

For Respondents : M/s.D.Farjana Ghoushia
Special Government Pleader



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ORDER

The present writ petition has been filed seeking a mandamus directing the second respondent to include the name of the writ petitioner in the legal heir certificate issued for the death of one Perumal.

2. A perusal of the records reveal that the petitioner claims to be the second wife of the deceased Perumal. At the time of issuance of legal heir certificate, the second respondent herein has included the name of the second wife's son and daughter but not the writ petitioner who is the second wife. Aggrieved over the same, the present writ petition has been filed.

3. The learned counsel appearing for the writ petitioner relies upon G.O.(Ms.)No.110, Revenue and Disaster Management, Revenue Administration Wing, RA-3(2) Section, dated 13.03.2024 to contend that the names of both the spouses would be included in the legal heir certificate. However, a perusal of the said G.O. reveals that the second wife's name could be included in the legal heir certificate only if the personal law permits a second marriage while the first marriage is subsisting. In the present case, admittedly the parties are Hindus and second marriage is not permissible under the Hindu Marriage Act. In such



circumstances, the authorities cannot be directed to include the name of the writ petitioner herein. There are no merits in the writ petition. Accordingly, this writ petition stands dismissed. No costs.

04.12.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR

To

1. The District Collector,
Dindigul District,
Dindigul.

2. The Tahsildar,
Natham Taluk,
Dindigul District.



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R.VIJAYAKUMAR, J.

RJR

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