



W.P.(MD)No.1126 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **20.01.2025**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.1126 of 2025

and

WMP(MD)No.755 of 2025

A.P.T.Thilak

... Petitioner

Vs.

The Tahsildar,
Office of the Tahsildar,
Theni District,
Theni.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to call for the records connected with the order in Moo.Mu.No.4883/2024/A13 dated 04.10.2024 passed by the respondent and quash the same, consequently directing the respondent to issue legal heir certificate.



W.P.(MD)No.1126 of 2025

For Petitioner : Mr.P.Chinnaraja

For Respondent : Mr.S.Kameswaran
Government Advocate

ORDER

Mr.S.Kameswaran, learned Government Advocate takes notice for the respondent. By consent of both the parties, this writ petition is taken up for final hearing at the admission stage itself.

2. The prayer in the Writ Petition reads as follows:-

“To issue a Writ of Mandamus, to call for the records connected with the order in Moo.Mu.No.4883/2024/A13 dated 04.10.2024 passed by the respondent and quash the same, consequently directing the respondent to issue legal heir certificate.”

3. The petitioner is the son of the deceased namely Thiruvalar Kannan, through his second wife. The deceased Thiruvalar Kannan, had wives namely Indra and Premarani and through his first wife, the deceased Thirvalar Kanna



W.P.(MD)No.1126 of 2025

had a son and daughter. Through his second wife, he had one son i.e, the petitioner. The petitioner made an application in the online portal for the purpose of issuance of legal heir certificate. However, the same was rejected, since it was made by the son of the second wife.

4. The learned Government Advocate appearing for the respondent on written instruction submitted that the online portal, which is maintained by the respondent in this regard, does not have the facility to accept any application from the legal heir of the second wife of the deceased. In view of the same, the application was automatically rejected.

5. Heard the learned counsels on either sides and carefully perused the materials available on record.

6. Considering the said submission, the Court is setting aside the impugned order. The petitioner is directed to make an application in offline mode forthwith and on receipt of the same, the respondent is directed to pass an appropriate order and issue a legal heir certificate accommodating the children of both wives, after issuing notice to all the parties, within a period of six weeks from the date of receipt of a copy of this order.



W.P.(MD)No.1126 of 2025

7. With the above said direction, this Writ Petition is disposed of . There shall be no order as to the costs. Consequently, connected miscellaneous petition is closed.

NCC : Yes / No
Index : Yes / No
jbr

20.01.2025

TO:-

The Tahsildar,
Office of the Tahsildar,
Theni District,
Theni.



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W.P.(MD)No.1126 of 2025

L.VICTORIA GOWRI, J.

jbr

Order made in
W.P.(MD)No.1126 of 2025

Dated
20.01.2025