



W.P.No.50503 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.01.2026

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 50503 of 2025

&

W.M.P.No. 56558 of 2025

R.Sundari

...petitioner

Vs.

1. The District Collector,
Ranipet District,
Bharathi Nagar,
Ranipet 632 403.

2.The Tahsildar
Arcot Taluk,
Kalavai Road,
Ranipet District 632 503

...respondents

Prayer: Writ Petition is filed under Section 226 of the Constitution of India for issue of Writ of Certiorarified Mandamus, calling for entire records pertaining to online rejection order of legal heir certificate in



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Application No.TN-720251121115, dated 22.11.2025 passed by the 2nd respondent and quash the same as illegal, violative and against the procedures of issuance of clause 1 legal heir and consequently direct the 2nd respondent to issue legal heir certificate and the death of S.Pandiyan.

For petitioner : Mrs. U.Santhana Lakshmi
For respondents : Mr. R.Neelakandan
Additional Advocate General
Assisted by
Mr. Yogesh Kannadasan
Special Government Pleader

ORDER

This writ petition is filed for the following relief:

“To call for the entire records pertaining to online rejection order of legal heir certificate in Application No.TN-720251121115, dated 22.11.2025 passed by the 2nd respondent and quash the same as illegal, violative and against the procedures of issuance of clause 1 legal heir ship certificate and consequently direct the 2nd respondent



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to issue legal heir certificate on the death of S.Pandiyan.”

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2. The Petitioner's husband was earlier married to one P.Gandhimadhi on 14.06.1981 and they had two children. The said P.Gandhimadhi died on 13.01.2008. After the death of his first wife, the petitioner's husband S.Pandiyan married the petitioner herein on 21.01.2009 and they have one male child, namely, P.Perarasu.

3. The petitioner would submit that her husband was working as a Conductor at Tamil Nadu State Transport Corporation, Thiruvannamalai Region. The petitioner's husband retired from service on 30.04.2015 and received all terminal benefits. The case of the petitioner is that her husband died on 17.08.2025 and she had applied for grant of legal heir certificate. However, the 2nd respondent had rejected the same. Therefore, the petitioner is before this Court.

4. Heard the rival submissions on the either side and perused the records.



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5. The petitioner is aggrieved by the fact that the rejection of request suffers from total non application of mind. The petitioner had married the deceased Pandiyan, after the demise of his first wife and not during the subsistence of the same. Further, the Government in GO.Ms.No.110, Revenue and Disaster Management, Revenue Administration Wing, RA-3 (2) Section, dated 13.03.2024, in pursuance of the order of this Court in WP.No.25247 of 2021 had amended the clause 2 therein, by stating that in case of death of a person who had remarried, after the demise of legally wedded wife or after divorce granted by competent Court, then the legal heir certificate should be issued to the children of pre-deceased / legally divorced wife and the existing spouse of the deceased etc.,

6. The petitioner squarely falls within clause I B (ii), which reads as follows:

“Existing spouse(s) of the deceased, (Mention the names of the spouses, if more than one spouse, if permissible under relevant Personal Law)”



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7. Therefore, the rejection is erroneous. Consequently, this writ petition is allowed and the respondents are directed to issue legal heir certificate to the petitioner, within a period of 4 weeks from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petition is closed. No costs.

05.01.2026

Index : Yes/No

Internet : Yes/No

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To

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