



W.P(MD)No.2206 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.04.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

Writ Petition(MD)No.2206 of 2022

B.Rishana

.. Petitioner

Vs

1.The Tahsildar,
Taluk Office,
Thoothukudi.

2.Leelavathi

..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 of the first respondent pursuant to his impugned order in Na.Ka.Aa4/4174/2021 dated 21.12.2021 and quash the same as illegal and unlawful consequently direct the first respondent to include the petitioner's name in the legal heir certificate issued by the first respondent in Na.Ma.No.70/2020 Pa.Mu.No.Aa4/3034/2020 dated 25.07.2020 more particularly within a time frame as may be stipulated by this court.

For Petitioner : Mr.R.Murugan

For Respondents : Mrs.PB.Ahamed Yasmin Parvin
Govt. Advocate for R1

Mr.B.Rajesh Saravanan for R2



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ORDER

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The petitioner challenges the endorsement dated 21.12.2021 issued by the first respondent–Tahsildar, whereby the petitioner’s request to include her name in the legal heir certificate in respect of the deceased, Sukumar, was rejected.

2. Sukumar, the brother of the petitioner’s mother, died on 22.05.2020. The petitioner’s mother had predeceased him. The second respondent is the sister of the deceased Sukumar. Therefore, the Tahsildar issued the legal heir certificate in favour of the second respondent, treating her as a Class II heir.

3. Heard the learned counsel appearing on either side.

4.As per the Schedule in Section 8 of the Hindu Succession Act, 1956, the sister of the deceased falls under Entry No.2, whereas the sister’s daughter falls under Entry No.4. Hence, the second respondent, who falls under Entry No.2, is to be preferred over the petitioner, who falls under Entry No.4. The first respondent–Tahsildar, having taken into consideration these aspects, has rightly issued the legal heir certificate in favour of the second respondent. This Court finds no illegality or infirmity in the impugned endorsement.



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5. Accordingly, this writ petition is dismissed, leaving it open to the petitioner to work out her remedies before the jurisdictional civil court. No costs.

09.04.2026

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

To

1. The Tahsildar,
Taluk Office,
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HEMANT CHANDANGOUDAR, J.

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