



W.A.(MD)No.435 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.04.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**
AND
THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

W.A.(MD)No.435 of 2026
and
C.M.P.(MD)No.3922 of 2026

1.V.Ilavarasi

2.V.Ramanathan

3.V.Thillaikkarasi

4.V.Mathumalar

...Appellants

Vs.

1.The District Revenue Officer,
District Collectorate Office,
Sivagangai, Sivagangai District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Devakottai,
Sivagangai District.

3.Kalyanakumar

4.V.Chandra

...Respondents

PRAYER:- Writ Appeal – filed under Clause 15 of the Letters Patent, to set aside the order passed by this Court in W.P.(MD)No.13786 of 2024 dated 28.11.2025.



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For Appellants : Mr.SC.Herold Singh
For Respondents : Mr.D.Sasikumar (R1 & R2)
Additional Government Pleader

ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

Challenging the order passed by the learned Single Judge in W.P.(MD)No.13786 of 2024, the present writ appeal is filed.

2.The case of the appellants is that they were born to the first wife of their father, namely Lalitha. Their father was working as Revenue Inspector. The said Lalitha passed away on 22.04.1984. Thereafter, father of the petitioners married the fourth respondent in the year 1985. From the said wedlock, a male child was born. Thereafter, the father of the appellants passed away on 13.05.2009. The appellants obtained a legal heir certificate showing only them as the legal heirs of their father. The third respondent after multiple rounds of litigation before revenue authorities and the High Court, succeeded in getting his name also included in the legal heir certificate.



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3.The principal contention of the appellant is that, though a male child was born through the second wife, his name is Sornalingam, whereas the third respondent is named Kalyanakumar. Therefore, the learned Single Judge is not right in dismissing the writ petition according to him. It is further submitted that, inasmuch as the legal heirship itself is in dispute, the authorities ought not to have included the name of the third respondent in the legal heir certificate.

4.We have heard the learned counsel appearing on either side and perused the entire materials placed on record.

5.Admittedly, the second marriage of the appellants' father is not in dispute. Similarly, the birth of a male child through the second wife is also not in dispute. The dispute raised by the petitioner is only with regard to the name of the said child. The learned Single Judge has clearly found, on the basis of the school records, that the name of the third respondent is reflected as Kalyankumar, and the same has also been recorded in the legal heir certificate.



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6.The learned Single Judge has further held that if the petitioner disputes the correctness of the said entries, it is open to him to challenge it before the competent civil court and establish his claim in accordance with law. We are also of the view that, when a question of paternity arises, the same can be adjudicated only by a civil court and not in proceedings under writ jurisdiction.

7.In the present case, the second marriage of the appellants' father and birth of the male child is admitted. The dispute is only with regard to the identity of the person. In such circumstances, it is for the parties to agitate the issue before the civil court.

8.We do not find any reason to interfere with the order passed by the learned Single Judge. Accordingly, the writ appeal is dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

[N.S.K., J.] & [M.J.R., J.]
01.04.2026

Index :Yes/No
Internet :Yes
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To

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