



W.P(MD)No.11142 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.06.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

Writ Petition(MD)No.11142 of 2026

and

W.M.P(MD)No.8623 of 2026

Bommusamy

.. Petitioner

Vs

The Tahsildar,
Vadasendur Taluk,
Dindigul District.

..Respondent

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 pertaining to the impugned order passed by the respondent herein in Pa.Mu.No.6508/2023/A1 dated 21.09.2023 and quash the same as illegal and consequently direct the respondent to issue the legal heirs (Class II) certificate to the petitioner.

For Petitioner : Mr.S.Sarvagan Prabhu

For Respondent : Mr.M.Mahaboob Athiff

Govt. Advocate



W.P(MD)No.11142 of 2026

WEB COPY

ORDER

The petitioner has challenged the order dated 21.09.2023 passed by the respondent Tahsildar, whereby the application submitted by the petitioner seeking issuance of a legal heir certificate in respect of his maternal grandfather, namely, Kavetti Nayakkar, as the legal heir of his deceased brother, Rengappa Nayakkar, came to be rejected.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondent.

3.The petitioner has produced a genealogy chart. As per the said genealogy, Rengappa Nayakkar and Kavetti Nayakkar were brothers and the sons of one Andi Nayakkar. According to the petitioner, Rengappa Nayakkar died issueless and Kavetti Nayakkar, being his brother, was his sole surviving legal heir. It is further stated that Kavetti Nayakkar subsequently died leaving behind his daughter, Pommuthai, who is the petitioner's mother.

3.In the above circumstances, the petitioner submitted an application before the respondent Tahsildar seeking issuance of a legal heir certificate recognising the deceased Kavetti Nayakkar as the



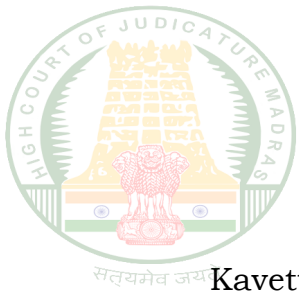
W.P(MD)No.11142 of 2026

WEB COPY

legal heir of the deceased Rengappa Nayakkar. However, the respondent rejected the said application by the impugned order on the ground that the petitioner is not a Class-I legal heir of the deceased Rengappa Nayakkar.

4.The learned counsel for the petitioner submitted that the respondent has failed to appreciate that the claim is not based on the petitioner's status as a legal heir of Rengappa Nayakkar. According to the petitioner, since Rengappa Nayakkar died without leaving behind any spouse, children or other Class-I heirs, his brother, Kavetti Nayakkar, would fall within the category of legal heirs entitled to succeed to his estate. Therefore, the respondent ought to have considered whether Kavetti Nayakkar was the sole surviving legal heir of the deceased Rengappa Nayakkar instead of rejecting the application solely on the ground that the petitioner himself is not a Class-I legal heir.

5.This Court finds force in the submission made by the learned counsel for the petitioner. The respondent appears to have rejected the application without examining the petitioner's specific claim that Kavetti Nayakkar was the sole surviving legal heir of the deceased Rengappa Nayakkar. The relevant enquiry ought to have been whether



W.P(MD)No.11142 of 2026

WEB COPY

Kavetti Nayakkar was a Class II heir of the deceased Rengappa Nayakkar and not whether the petitioner is a Class-I legal heir of the deceased.

6. Accordingly, the writ petition is allowed and the impugned order in Pa.Mu.No.6508/2023/A1 dated 21.09.2023 passed by the respondent is hereby set aside. The respondent is directed to conduct a fresh enquiry and verify the claim of the petitioner. If, upon such enquiry, it is found that the deceased Kavetti Nayakkar was the sole legal heir of the deceased Rengappa Nayakkar, the respondent shall issue an appropriate legal heir certificate in accordance with law.

7. The aforesaid exercise shall be completed within a period of two months from the date of receipt of a copy of this order. Before passing final orders, the respondent shall afford the petitioner an opportunity of personal hearing.

8. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

03.06.2026

NCC : Yes/No

Index : Yes/No

Internet: Yes

skn

4/6



W.P(MD)No.11142 of 2026

WEB COPY To

The Tahsildar,
Vadasendur Taluk,
Dindigul District.



WEB COPY



W.P(MD)No.11142 of 2026

HEMANT CHANDANGOUDAR, J.

skn

Writ Petition(MD)No.11142 of 2026

and

W.M.P(MD)No.8623 of 2026

03.06.2026