



WP (MD). No.19852 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 23.03.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

WP (MD) No.19852 of 2024

and

WMP (MD) No.16823 of 2024

C.Murugesan

... Petitioner

- Vs. -

1.The District Collector,
Sivagangai,
Sivagangai District.

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

3.The Thasildar,
Devakottai Taluk Office,
Sivagangai District.

4.Sarasu

5.Lakshmi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to impugned order passed by the 3rd respondent legal heir certificate in



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Ni.Mu.A1/4012/2017.R.Sl.No./609/2017, dated

23.11.2017 and quash the same as illegal and consequently direct the 3rd respondent to issue a legal heir certificate to the petitioner.

For Petitioner : Mr.S.Pugalendhi

For R1 to R3 : Mr.P.Subburaj
Special Government Pleader

For R4 & R5 : Mr.J.Anand Kumar

ORDER

The petitioner challenges the order dated 23.01.2017 issued by the third respondent, whereby the petitioner's request to include his name in the legal heir certificate issued in respect of the deceased, Chinnathambi, was rejected.

2. The respondents 4 and 5 had submitted an application before the third respondent seeking issuance of a legal heir certificate certifying that they alone are the legal heirs of the deceased Chinnathambi. The said application was accepted and a legal heir certificate was issued accordingly. The



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petitioner, claiming to be the son of the deceased Chinnathambi, contends that respondents 4 and 5, by suppressing this fact, had fraudulently obtained the legal heir certificate. The petitioner's request for inclusion of his name was, however, rejected by the impugned order.

3. Heard the learned counsel appearing on either side.

4. The respondents 4 and 5 have not disputed that the petitioner is also the son of the deceased Chinnathambi and a Class-I legal heir. In view of this admitted position, the impugned order passed by the third respondent rejecting the petitioner's claim for inclusion in the legal heir certificate is not legally sustainable. It is also brought to the notice of this Court that the petitioner had filed a suit in O.S. No. 21 of 2019 on the file of the District Munsif, Devakkottai, for partition and separate possession, and the said suit has been dismissed on merits. However, the dismissal was not on the ground



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that the petitioner failed to establish his status as a legal heir of the deceased. The rights of the parties have thus been adjudicated in the said suit, and the petitioner cannot rely upon the legal heir certificate to reopen issues already decided in the partition suit.

5. In view of the above, the writ petition is allowed and the impugned order dated 23.01.2017 is set aside. The third respondent is directed to include the name of the petitioner along with respondents 4 and 5 in the legal heir certificate of the deceased Chinnathambi within a period of eight (8) weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

23.03.2026

PJL

TO
1. The District Collector,
Sivagangai,
Sivagangai District.

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2.The Revenue Divisional Officer,
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3.The Thasildar,
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HEMANT CHANDANGOUDAR, J

PJL

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