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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03-11-2026

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

WP(MD) No. 24697 of 2023

CNR:{HCMD011137432023}

Case QR

and

WMP(MD) No.20875 of 2023

Rajammal,
W/o.Durairaj,
D.No.199, Nesavalar Colony,
Vettoornimadam,
Nagercoil, Agasteeswaram,
Kanyakumari-629 003.

..Petitioner(s)

Vs

1. The District Collector,
   Tirunelveli,
   Tirunelveli District.

2. The Deputy Tahsildar,
   Radhapuram Taluk,
   Tirunelveli District.

3. The Revenue Inspector,
   Radhapuram Taluk,
   Tirunelveli District.

4. The Village Administrative Officer,
   Radhapuram Taluk,
   Tirunelveli District.

5. Charlet,
   W/o.Durairaj,
   D.No.113 A, South Car Street,
   Vadakku Valliyur Part-I,
   Radhapuram, Tirunelveli.

..Respondent(s)

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned Legal Heir Certificate No.TN-7202301252693 dated 06.02.2023 and consequent impugned online communication order of the second respondent in Application Number TN-720230812880 dated 28.08.2023 and quash the same as illegal, and direct the second respondent to issue a Legal Heir Certificate to the petitioner's deceased Husband Durairaj.

For Petitioner	:	M/s.M Punitha Deva Kumar
For R1 to R4	:	Mr.P.Pethu Rajesh Additional Government Pleader
For R5	:	No appearance

ORDER

Asserting that the petitioner is the legally wedded wife of late Mr.Durairaj and that the couple had two children, namely, D.Rebekh and D.Samuvel, the petitioner assails the Legal Heir Certificate dated 06.02.2023.

2. Relying on the Marriage Agreement dated 18.01.1985 and the documents evidencing the births of D.Rebekh and D.Samuvel, learned counsel for the petitioner contends that the inclusion of the names of Charlet and Alex in the Legal Heir Certificate is contrary to law.

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3. Appearing on behalf of the first to fourth respondents, Mr.P.Pethu Rajesh, learned Additional Government Pleader, submits that the petitioner has a remedy by way of an appeal before the Revenue Divisional Officer under G.O.(Ms) No.478, Revenue and Disaster Management Department, Revenue Administration Wing, RA-3(2) Section, dated 29.09.2022.

4.The petitioner approached this Court within a reasonable time after the impugned Legal Heir Certificate was issued. This Writ Petition was filed bona fide and has been prosecuted in good faith. Considering these aspects, the petitioner is entitled to the exclusion of the time taken in prosecuting this Writ Petition. Hence, subject to the petitioner filing an appeal before the jurisdictional Revenue Divisional Officer-cum-Sub Collector, Cheranmahadevi, Tirunelveli District, within a period of 15 days from the date of receipt of a copy of this order, the appeal shall be received and disposed of on merits and in accordance with law, without going into the question of limitation. It is needless to say that notice should be issued to the three persons whose names are recorded in the impugned Legal Heir Certificate before a decision is taken in the petitioner's appeal. Such appeal shall be disposed of expeditiously.

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5. This Writ Petition is disposed of on the above terms. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

03-11-2026

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SENTHILKUMAR RAMAMOORTHY, J.
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