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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02-11-2026

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

AND

THE HON'BLE MR. JUSTICE K.K. RAMAKRISHNAN

WA(MD) No. 1748 of 2026

CNR:{HCMD011158402026}

Case QR

and

C.M.P(MD)No.14900 of 2026

Muthulakshmi

..Petitioner(s)

Vs

1. S.Sathya,
   D/o.Late.Ra.Chandrasekar,
   No.169, Sathya Illam,
   E.B.Colony,
   Pykarai,
   Madurai - 625 004.Madurai

2. The Revenue Divisional Officer
   Thirumangalam Taluk,
   Madurai District.

3. The Thasildhar
   Thirupparankundram Taluk,
   Madurai District.

..Respondent(s)

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying to prefer this Memorandum of Grounds of Writ Appeal against the order passed by this Court made in W.P.(MD) No.15437 of 2026 dated 10.06.2026.

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For Petitioner(s) :Mr.P.Suresh

For Respondent(s) :Mr.A.Mohan
Government Advocate (Civil side)
for R2 & R3
Mr.N.Marimuthu for R1

JUDGMENT

(Judgment of the Court was delivered by P. VELMURUGAN J.)

Challenging the order passed by the learned Single Judge allowing the writ petition, the appellant, who was the third respondent in the writ petition, has preferred the present writ appeal.

2. Mr. N. Marimuthu, learned counsel, takes notice on behalf of the first respondent, and Mr. A. Mohan, learned Government Advocate (Civil Side), takes notice on behalf of respondents 2 and 3.

3. With the consent of both parties, the writ appeal is taken up for final disposal at the admission stage itself.

4. The learned counsel for the appellant submitted that the impugned order dated 10.06.2026 was passed without issuing notice to the appellant, though she was a necessary and directly affected party. The

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appellant, being the first wife of the deceased, disputes the marital status of the mother of the first respondent and, consequently, the first respondent's claim for inclusion in the Legal Heir Certificate. It was further contended that the dispute involves serious questions of fact and law relating to marriage and succession, which can be adjudicated only by a competent Civil Court. The learned Single Judge erred in recording that the appellant had consented to the inclusion of the first respondent's name in the Legal Heir Certificate, whereas no such consent had been given by the appellant. It was also submitted that the appellant was deprived of an opportunity to avail herself of the appropriate remedy before the Revenue Divisional Officer. Hence, the learned counsel prayed for setting aside the order passed by the learned Single Judge and allowing the writ appeal.

5. Per contra, the learned counsel for the first respondent submitted that, during the enquiry conducted by the third respondent, the appellant had categorically admitted that the first respondent was the daughter born to the deceased through his second wife and had expressed no objection to the inclusion of the first respondent's name in the Legal Heir Certificate. However, disregarding the said admission, the third respondent issued the Legal Heir Certificate by excluding the first

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respondent's name. Therefore, the learned Single Judge rightly allowed the writ petition, and no interference with the order passed by the learned Single Judge is warranted.

6. We have heard the learned counsel appearing for the parties and perused the materials available on record.

7. Admittedly, there is a dispute with regard to the legal heirship of the deceased Chandrasekar. Since the rival claimants dispute each other's status as legal heirs of the deceased, the second respondent directed the parties to approach the competent Civil Court for adjudication of their respective claims. Aggrieved by the said order, the first respondent approached this Court by filing a writ petition challenging the order passed by the second respondent. However, the learned Single Judge, without issuing notice to the appellant, who was a necessary and directly affected party, allowed the writ petition even at the admission stage.

8. On a perusal of the records, it is evident that there is a serious dispute regarding the status of the rival claimants as legal heirs of the deceased. Such a dispute involves questions of fact and law, which can be adjudicated only by a competent Civil Court. Therefore, the Revenue

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Divisional Officer, Thirumangalam, was justified in directing the parties to approach the competent Civil Court for establishing their respective claims.

9. In view of the foregoing reasons, the writ appeal is allowed, and the order passed by the learned Single Judge in W.P.(MD) No.15437 of 2026, dated 10.06.2026, is hereby set aside. Consequently, the order passed by the Revenue Divisional Officer, Thirumangalam Taluk, dated 02.09.2025, is restored. The parties are at liberty to approach the competent Civil Court and establish their respective claims of legal heirship in accordance with law. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

(P.V.,J.) (K.K.R.K.,J.)
02-11-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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To

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   Thirumangalam Taluk,
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AND
K.K.RAMAKRISHNAN, J.
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