

IN THE COURT OF DISTRICT MUNSIF, KATPADI, VELLORE DISTRICT
PRESENT: TMT. K.INBARANI, B.A.,B.L.,
(J.O.Code - TN02350)
DISTRICT MUNSIF, KATPADI

Monday, this the 16th Day of March – 2026

O.S.No. 153 of 2022
(CNR.No.TNVL23-000199-2022)

1. Kuzhandai Ammal
2. Manickammal
3. Indirani
4. Vasantha
5. Nagendiran
6. Sumithra
7. Saravanan
8. Valarmathi
9. Lakshmi
10. Aruna
11. Geetha
12. Latha
13. Manjula
14. Rekha
15. Ramesh

(Amended as per IA.No.3/2024 allowed on 26.03.2024)

. . . Plaintiffs

-Vs-

1. The District Collector,
Vellore District, Vellore.
2. The Tahsildar,
Katpadi Taluk Office, Katpadi.
3. The Village Administrative Officer,
Magimandalam Village, Katpadi Taluk.

. . . Defendants

This Suit has come up today before this Court for Judgment, and in this case, the Plaintiffs was appeared through their Advocate Counsel Thiru.V.Thukaraman, and Government Pleader for the Defendants. Upon hearing both side arguments and upon perusing the case records & evidence, and having stood over consideration till this day, this Court delivers the following:-

JUDGMENT

The Suit is filed by the Plaintiffs for Declaration to declare the plaintiffs 1 to 3, 5 to 8, 10 to 14 herein are the legal heirs of the deceased Sahadevan, S/o.Late.Chinnappa who was died on 17.02.1991 and for Mandatory Injunction to directing the 2nd defendant to issue legal heirship certificate of the deceased Sahadevan in favour of the plaintiffs herein and for costs.

1. The concise of the Amended Plaint averments is as follows:-

1.1 The case of the plaintiffs is that the deceased Sahadevan S/o Late Chinnappa married the 1st plaintiff Kuzhandai Ammal according to Hindu rites and customs and out of their lawful wedlock they were blessed with four children, namely Sundaramoorthy, Manickammal, Dhamodaran and Indirani. It is stated that the said Sahadevan and his family were residing at Mahimandalam Village, Katpadi Taluk, Vellore District and the eldest son Sundaramoorthy married Vasantha and out of the said wedlock they were blessed with two sons and two daughters namely Nagendiran, Sumithra, Saravanan and Valarmathi. It is also stated that the second son Dhamodaran

married Lakshmi and they were blessed with five daughters namely Aruna, Geetha, Latha, Manjula and Rekha. The daughters of Sahadevan namely Manickammal and Indirani were also married and are living separately with their respective families.

1.2 They are further states that, Dhamodaran died on 29.03.1989 and Sahadevan died on 17.02.1991, leaving behind his wife, daughters and the children of his pre-deceased sons as his legal heirs. The plaintiffs contend that they alone are the legal heirs entitled to succeed to the estate of the deceased Sahadevan. The plaintiffs state that the 1st plaintiff applied before the Tahsildar, Katpadi Taluk, seeking issuance of a Legal Heirship Certificate for the deceased Sahadevan. However, the 2nd defendant refused to issue the same by a reply dated 09.07.2022, stating that the death had occurred long ago and it was difficult to enquire about the legal heirs after many years, and therefore advised the plaintiffs to approach the Civil Court. Hence, the present suit has been filed seeking declaration that the plaintiffs are the legal heirs of the deceased Sahadevan and for a mandatory injunction directing the Tahsildar to issue the Legal Heirship Certificate. Hence, they have filed this suit.

2. The concise of the Written Statement filed by the Defendants is as follows:-

The defendant states that, the plaint filed by the plaintiffs as against this defendant is not sustainable her under law or on facts and hence liable to be dismissed illumine and summarily and the defendant filed a written statement denying the allegations made in

the plaintiff. The defendant further contended that most of the averments stated in the plaintiff are not true and the plaintiffs are put to strict proof of the same. The defendant denied all the allegations except those that are specifically admitted. It is also contended by the defendant that the plaintiffs have not complied with the mandatory procedure of issuing notice to the Government authorities as required under Section 80 of the Code of Civil Procedure before filing the present suit and hence the suit is not maintainable. The defendant further submitted that the plaintiffs have not produced sufficient documents to establish their relationship with the deceased Sahadevan and therefore the plaintiffs alone have to prove the same by proper evidence. On these grounds, the defendant prayed that the suit may be dismissed with costs. Hence, they prayed to dismiss the suit.

3. On consideration of the Pleadings, the following issues were framed :-

- 1) Whether the plaintiffs 1 to 3, 5 to 8, 10 to 14 are the only legal heirs of deceased Sahadevan, S/o.Late.Chinnappa?
- 2) Whether the plaintiffs are entitled to get the relief of declaration as prayed for ?
- 3) Whether the plaintiffs are entitled to get the relief of Mandatory Injunction as prayed for ?
- 4) To what other relief the plaintiff is entitled?

4. In order to prove the Plaintiff's case, the 6th plaintiff was examined herself as P.W-1 by way of filing Proof Affidavit, and Ex.A.1 to Ex.A.20 were marked through her and she was cross examined in fully and no oral evidence on the defendants side.

5. The Learned Advocate appeared on behalf of the Plaintiff argued that the plaintiffs respectfully submit that they are the lawful legal heirs of the deceased SAHADEVAN S/O LATE CHINNAPPA, as clearly shown through family relationships, death certificates, and Aadhaar documents (Ex.A-2 to Ex.A-18). Despite applying for a legal heirship certificate, the 2nd defendant unreasonably refused, forcing the plaintiffs to approach this Hon'ble Court. Hence, they seek a declaration recognizing them as the sole legal heirs and issuance of the legal heirship certificate.

6. On contra, the Learned Advocate appeared on behalf of the Defendant argued that the defendant submits that the plaint is not maintainable as the plaintiffs have not followed the proper procedure under Section 80 of the CPC, nor provided sufficient evidence to prove their relationship with the deceased. Most averments in the plaint are denied, and the necessary documents were not filed. Hence, the suit is liable to be dismissed with costs.

7. Answering to the Issues No.1, 2 & 3:-

7.1 The plaintiff states that, The case of the plaintiffs is that the deceased Sahadevan S/o Late Chinnappa married the 1st plaintiff Kuzhandai Ammal according to Hindu rites and customs and out of their lawful wedlock they were blessed with four

children, namely Sundaramoorthy, Manickammal, Dhamodaran and Indirani. It is stated that the said Sahadevan and his family were residing at Mahimandalam Village, Katpadi Taluk, Vellore District. The plaintiffs further aver that the eldest son Sundaramoorthy married Vasantha and out of the said wedlock they were blessed with two sons and two daughters namely Nagendiran, Sumithra, Saravanan and Valarmathi. It is also stated that the second son Dhamodaran married Lakshmi and they were blessed with five daughters namely Aruna, Geetha, Latha, Manjula and Rekha. The daughters of Sahadevan namely Manickammal and Indirani were also married and are living separately with their respective families.

7.2 It is the further case of the plaintiffs that Dhamodaran died on 29.03.1989 and Sahadevan died on 17.02.1991, leaving behind his wife, daughters and the children of his pre-deceased sons as his legal heirs. The plaintiffs contend that they alone are the legal heirs entitled to succeed to the estate of the deceased Sahadevan. The plaintiffs state that the 1st plaintiff applied before the Tahsildar, Katpadi Taluk, seeking issuance of a Legal Heirship Certificate for the deceased Sahadevan. However, the 2nd defendant refused to issue the same by a reply dated 09.07.2022, stating that the death had occurred long ago and it was difficult to enquire about the legal heirs after many years, and therefore advised the plaintiffs to approach the Civil Court. Hence, the present suit has been filed seeking declaration that the plaintiffs are the legal heirs of the deceased

Sahadevan and for a mandatory injunction directing the Tahsildar to issue the Legal Heirship Certificate.

7.3 The defendant filed a written statement denying the allegations made in the plaint. It is contended that the suit filed by the plaintiffs is not maintainable either in law or on facts and is therefore liable to be dismissed in limine. The defendant further contended that most of the averments stated in the plaint are not true and the plaintiffs are put to strict proof of the same. The defendant denied all the allegations except those that are specifically admitted. It is also contended by the defendant that the plaintiffs have not complied with the mandatory procedure of issuing notice to the Government authorities as required under Section 80 of the Code of Civil Procedure before filing the present suit and hence the suit is not maintainable. The defendant further submitted that the plaintiffs have not produced sufficient documents to establish their relationship with the deceased Sahadevan and therefore the plaintiffs alone have to prove the same by proper evidence. On these grounds, the defendant prayed that the suit may be dismissed with costs.

7.4 On careful considering the said facts, In order to prove their case, the plaintiffs examined P.W.1 – Sumithra, who is the 6th plaintiff and the granddaughter of the deceased Sahadevan. In her chief examination, P.W.1 clearly deposed about the family structure of the deceased Sahadevan. She stated that the deceased Sahadevan had married the 1st plaintiff Kuzhandai Ammal according to Hindu rites and customs and out

of the said lawful wedlock they were blessed with four children namely Sundaramoorthy, Manickammal, Dhamodaran and Indirani. She further deposed that Sundaramoorthy and Dhamodaran were the sons of Sahadevan and that she herself is the daughter of the said Sundaramoorthy. By virtue of the said relationship, she is the granddaughter of the deceased Sahadevan. She also stated that the other plaintiffs are none other than the wife, daughters and grandchildren of the deceased Sahadevan and therefore they are the legal heirs entitled to succeed to his estate.

7.5 P.W.1 has further spoken in detail about the marital status and family circumstances of the other members of the family. According to her evidence, the daughters of Sahadevan namely Manickammal and Indirani were married and are residing separately with their respective families. Similarly, the sons of Sahadevan namely Sundaramoorthy and Dhamodaran were also married and were living with their respective families. She further deposed that the plaintiffs 5 to 8 are the children of Sundaramoorthy and the plaintiffs 10 to 14 are the daughters of Dhamodaran. Her evidence thus clearly explains the genealogical relationship between the deceased Sahadevan and the plaintiffs who have approached this Court seeking declaration of their status as legal heirs.

7.6 During the course of cross-examination, P.W.1 reiterated the facts already stated by her in the chief examination. She categorically stated that the deceased Sahadevan had five children including three sons and two daughters and that she is the

daughter of Sundaramoorthy, the eldest son of Sahadevan. She further stated that after the death of Sahadevan, the plaintiffs approached the Village Administrative Officer seeking issuance of a Legal Heirship Certificate. However, they were informed that since the death of Sahadevan had occurred long ago, it would be difficult for the revenue authorities to conduct enquiry and therefore they were advised to approach the Civil Court for appropriate orders. This part of the evidence of P.W.1 clearly explains the reason for filing the present suit.

7.7 It is pertinent to note that nothing material has been elicited during the cross-examination of P.W.1 so as to discredit her testimony. The defendants have not been able to bring out any contradiction or inconsistency in her evidence. Her testimony regarding the relationship of the plaintiffs with the deceased Sahadevan has remained consistent and unshaken. In the absence of any effective cross-examination challenging the veracity of her statements, the evidence of P.W.1 deserves due credence and acceptance by this Court. Apart from the oral evidence, the plaintiffs have also relied upon documentary evidence which have been marked as Ex.A1 to Ex.A20. Among these documents, Ex.A1 is the reply letter issued by the Tahsildar dated 09.07.2022 wherein the request of the plaintiffs for issuance of Legal Heirship Certificate was refused on the ground that the death of Sahadevan had taken place several years earlier and therefore it would be difficult to conduct enquiry regarding the legal heirs. This document clearly establishes that the plaintiffs had approached the competent revenue authority seeking

the certificate and that they were directed to seek appropriate relief before the Civil Court.

7.8 Further, Ex.A2 is the death certificate of the deceased Sahadevan which proves that he died on 17.02.1991. Likewise, Ex.A3 and Ex.A4 are the death certificates of Sundaramoorthy and Dhamodaran respectively. These documents corroborate the oral testimony of P.W.1 regarding the death of the said persons and the sequence of events narrated by the plaintiffs in the plaint. In addition to these documents, the plaintiffs have also produced the Aadhaar cards of the respective plaintiffs under Ex.A5 to Ex.A20 which establish their identity and support their claim that they are members of the same family. On the side of the defendants, though a written statement has been filed denying the allegations made in the plaint, no witness has been examined and no documentary evidence has been produced to substantiate the defence raised in the written statement. In civil proceedings, mere denial of the plaint averments without producing any supporting evidence cannot be accepted as sufficient to disprove the case of the plaintiffs. In the present case, the defendants have chosen not to adduce any evidence either oral or documentary to rebut the evidence produced by the plaintiffs.

7.9 Therefore, upon careful consideration of the oral evidence of P.W.1 and the documentary evidence produced by the plaintiffs under Ex.A1 to Ex.A20, this Court finds that the evidence adduced by the plaintiffs clearly establishes the relationship between the plaintiffs and the deceased Sahadevan. The evidence also shows that the

plaintiffs are the wife, daughters and grandchildren of the deceased Sahadevan and are therefore the legal heirs entitled to succeed to his estate. Accordingly, this Court holds that the plaintiffs have satisfactorily proved their case through cogent oral and documentary evidence.

8. Answering to the Issues No. 4:-

In view of the above findings recorded for the Issues-1, 2 & 3, this Court concludes that this Issue to the effect that the Plaintiff is not entitled for any other reliefs. Accordingly, the Issues No. 4 is answered.

9. Result:-

In fine, from the above discussions, the Suit filed by the Plaintiff is hereby Decreed that plaintiff 1 to 3, 5 to 8, 10 to 14 are declared the legal heirs of deceased Sahadevan, S/o.Late.Chinnappa they are entitled to get legal heirs certificate. No costs.

-//Dictated by me to the Steno-typist, and directly typed by her in Computer, and after rectification taken print out and pronounced by me in the Open Court, on this the 16th Day of March 2026.//-

(Sd/-)..K.Inbarani
DISTRICT MUNSIF
KATPADI

Plaintiffs side Witnesses:-

P.W-1 – Sumithra (the 6th Plaintiff)

Plaintiffs side Exhibits:-

Ex.A-1	09.07.2022	Online copy of the reply letter issued by Tahsildar.
Ex.A-2	10.01.2022	Copy of Death certificate of deceased Sahadevan.
Ex.A-3	18.01.2021	Copy of the Death certificate of Sundaramoorthy.
Ex.A-4	15.06.2021	Copy of the Death certificate of Dhamodaran.
Ex.A-5	-	Copy of Aadhaar card of the 1st plaintiff.
Ex.A-6	-	Copy of Aadhaar card of the 2nd plaintiff.
Ex.A-7	-	Copy of Aadhaar card of the 3rd plaintiff.
Ex.A-8	-	Copy of Aadhaar card of the 4th plaintiff.
Ex.A-9	-	Copy of Aadhaar card of the 5th plaintiff.
Ex.A-10	-	Copy of Aadhaar card of the 6th plaintiff.
Ex.A-11	-	Copy of Aadhaar card of the 7th plaintiff.
Ex.A-12	-	Copy of Aadhaar card of the 8th plaintiff.
Ex.A-13	-	Copy of Aadhaar card of the 9th plaintiff.
Ex.A-14	-	Copy of Aadhaar card of the 10th plaintiff.
Ex.A-15	-	Copy of Aadhaar card of the 11th plaintiff.
Ex.A-16	-	Copy of Aadhaar card of the 12th plaintiff.
Ex.A-17	-	Copy of Aadhaar card of the 13th plaintiff.
Ex.A-18	-	Copy of Aadhaar card of the 14th plaintiff.
Ex.A-19	12.01.2022	Copy of Legal heirs certificate.
Ex.A-20	-	Copy of Aadhaar card of the 15th plaintiff.

Defendants side Witnesses:- Nil

Defendants side Exhibits:- Nil

(Sd/-)..K.Inbarani
DISTRICT MUNSIF
KATPADI