



WP(MD). No.36295 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : **20.02.2026**

CORAM

THE HONOURABLE MR. JUSTICE **R.VIJAYAKUMAR**

**WP(MD). No.36295 of 2025**

Mariammal

... Petitioner

Vs

1. The District Collector,  
Tirunelveli District,  
Collectorate,  
Tirunelveli..
2. The District Revenue Officer,  
Tirunelveli District,  
Tirunelveli..
3. The Tahsildar,  
Tirunelveli Taluk,  
Tirunelveli District..
4. Kandasamy

... Respondents

(R4 is Impleaded Vide Court Order  
Dated 30.01.2026 in WMP(MD)No1217 of 2026)

**PRAYER :-**

Writ Petition filed under Article 226 of the Constitution of India,  
praying this Court to issue a Writ of Certiorarified Mandamus, calling for



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the records relating to the impugned order passed by the 3<sup>rd</sup> respondent vide Application No. TN-7202507182370, dated 18.07.2025 and quash the same as illegal and consequently, direct the respondent to issue legal heir certificate in favour of the petitioner as legal heirs of Late Mallika, within a time frame that may be fixed by this Court.

For Petitioner : Mr.S.Kasirajan,

For Respondents : Mrs.D.Farjana Ghoushia,  
Spl.Govt. Pleader for R1 to R3

### **ORDER**

This Writ Petition has been filed seeking to quash the order passed by the third respondent herein wherein the request of the petitioner for issuance of legal heir certificate for the death of her sister has been rejected.

2. One Mallika, who is the sister of the petitioner had passed away on 18.07.2025. According to the learned counsel appearing for the petitioner, Mallika got separated from the 4<sup>th</sup> respondent way back in the



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year 1978 and thereafter, the deceased Mallika was residing only with the petitioner. In such circumstances, since the petitioner is a Class II legal heir, a legal heir certificate may be issued to her.

3. The learned counsel appearing for the third respondent pointed out that as long as Mallika's husband viz., the 4<sup>th</sup> respondent is alive, the question of issuing legal heir certificate in favour of the petitioner would not arise.

4. Heard both side and perused the materials available on record.

5. In this case, whether the 4<sup>th</sup> respondent has got separated from the deceased Mallika and got remarried has to be decided only by the competent civil Court. As along as the husband of 4<sup>th</sup> respondent is alive, the question of issuing legal heir certificate to the Class II legal heir viz., the Writ Petitioner does not arise.



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**6.** Reserving the right of the Writ Petitioner to approach the

competent civil Court, this Writ Petition stands disposed of. There shall be no order as to costs.

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Index : Yes/No

NCC : Yes/No

VSM



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**R.VIJAYAKUMAR, J.**

VSM

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**Date : 20.02.2026**