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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-03-2026

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THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 9030 of 2026

Rajeswari

..Petitioner(s)

Vs

The Tahsildhar
Vellore Taluk
Vellore District.

..Respondent(s)

Calling for the records relating to the impugned order passed by the respondent Vide Application No. O.Mu.No.C4. 4179/2024 and quash the same as illegal and consequently directing the respondent to issue a legal heir certificate in favour of the petitioner as legal heirs of Late V.A.Raja respectively directing the respondent to issue the legal heir certificate in favour of petitioner.

WP No. 9030 of 2026

For Petitioner(s): Dr.A.R.Shanmugam

For Respondent(s): Ms.V.Yamuna Devi, Special Government Pleader

Order

The petitioner has filed this petition challenging the impugned order dated 03.01.2025, wherein her request for grant of legal heir certificate got rejected. She seeks further direction to the respondent to issue a legal heir certificate.

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2. Case of the petitioner is that she is the legally wedded wife of her husband deceased V.A.Raja. He died on 31.01.2020 due to ill health, leaving behind the petitioner and his two sons and one daughter. The petitioner had applied before the respondent to issue the legal heirs certificate of deceased V.A.Raja. However the application was rejected for the reason that the said Raja had second wife viz., Durga bhai. Aggrieved by the impugned order, the present writ petition is filed.

3. Learned counsel for the petitioner submitted that the petitioner is the legally wedded wife of the said late Raja. One Durga bhai who alleged to be his second wife, was died on 03.12.2023, without any children. Hence, the petitioner and her three children are the only legal heirs of deceased V.A.Raja. However, the respondent, though recorded a finding that one Durgabhai, who alleged to be the second wife died, had wrongly passed the impugned order rejecting the legal heir certificate to the petitioner and her children.

4. Ms.V.Yamuna Devi, learned Special Government Pleader who takes notice for the respondent submitted that since late V.A.Raja had two wives, the petitioners have to establish their legal heirs status only before the Civil Court. Therefore, the respondent has rightly passed the impugned order, which does not warrant interference of this Court.

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5. Heard both sides and also perused the materials available on record.

6. Admittedly, the petitioner is the legally wedded wife of late V.A.Raja. The application for issuance of legal heir certificate was rejected on the ground that the deceased V.A.Raja had second wife, who also died without any children. Further in the impugned order it was admitted that the second wife was also died without any children. While so, the respondent, directing the petitioner to approach the Civil Court to establish their legal heir status, is not justifiable. Hence, the rejection order passed by the respondent is unsustainable and it is liable to be set aside.

7. In view of the above, this Writ Petition is allowed and the impugned order dated 03.12.2025 passed by the respondent is set aside. The matter is remanded back to the respondent, who shall once again verify and issue legal heir certificate to the petitioner and file a report before this Court on 16.03.2026, failing which, the respondent is directed to appear before this Court.

Post the matter on 16.03.2026 ‘’For reporting Compliance’’.

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

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To
The Tahsildhar
Vellore Taluk
Vellore District.

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M.DHANDAPANI J.

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