

HON'BLE SRI JUSTICE SURESH KUMAR KAIT
&
HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No. 7430 of 2017

ORDER:- (ORAL)

(Per Hon'ble Sri Justice Suresh Kumar Kait)

This writ petition is filed challenging the order dated 30.11.2016 passed in O.A.No. 4289 of 2016, whereby the A.P. Administrative Tribunal, Hyderabad, while dismissing the application filed by the petitioner, directed her to seek declaration from a competent Civil Court on the aspect as to who is her adopted son as per law, so that his name can be entered in her service record.

The case of the petitioner is that she and her husband adopted one Veeraswamy vide Registered Adoption Deed dated 28.11.1990. On the basis of said deed, the name of Veeraswamy was entered in the petitioner's service register as nominee for the purpose of receiving her terminal benefits after her death. Later, according to the petitioner, dispute arose between her and Veeraswamy, as such, she obtained unregistered Relinquishment Deed dated 20.07.2003 from Veeraswamy. Subsequently, the petitioner adopted one Muddam Subbarayudu, however there was a civil litigation between them in the shape of O.S.No. 612 of 2003 on the file of the Court of the Principal Junior Civil Judge, Proddutur,

and finally the same was settled before Lok Adalat and M.Subbarayudu was declared as adopted son of the petitioner.

There is no registered adoption deed between the petitioner and her husband on the one hand and the parents of Muddam Subbarayudu on the other. Based on the award of the Lok Adalat, the name of M.Subbarayudu was entered in the service record of the petitioner as her nominee.

It is pertinent to mention here that again the petitioner takes 'U' turn and wants the name of Veeraswamy to be entered in her service record as her nominee.

In view of the peculiar facts recorded above, the learned Tribunal has rightly directed the petitioner to approach the competent Civil Court on the aspect as to who is her adopted son as per law. Therefore, the findings arrived at by the Tribunal are perfectly justified and the same cannot be interfered with.

Hence, the writ petition is devoid of merit and the same is accordingly dismissed. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

SURESH KUMAR KAIT, J

10.07.2018

ABHINAND KUMAR SHAVILI, J

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