



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) No.574 of 2022

Chidambaram

... Petitioner

vs.

1.The Revenue Divisional Officer,
Madurai District.

2.The Tahsildar,
Thirupparamkundram Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to consider and pass orders on the online application of the petitioner dated 15.09.2021 for grant of legal heir certificate to the petitioner as adopted son of late Ms.C.Saraswathi, D/o.M.Chidambaram Chettiar, on her death on 23.12.2020.

For Petitioner : Mr.M.Vivek Kumar

For Respondents : Mr.S.Shanmugavel

Additional Government Pleader

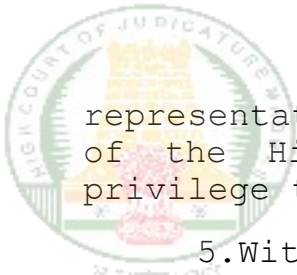
O R D E R

The writ petition has been filed in the nature of Writ of Mandamus seeking consideration of an online application given by the petitioner on 15.09.2021 seeking legal heirship certificate with respect to Ms.C.Saraswathi, who died on 23.12.2020.

2.It is claimed by the petitioner that after following due procedure and after registering a document of adoption, the aforesaid C.Saraswathi had adopted the present petitioner on 15.03.2004.

3.Mr.S.Shanmugavel, learned Additional Government Pleader, who had taken notice on behalf of the respondents states that the application of the petitioner has been rejected directing the petitioner to file a civil suit. If the petitioner is able to establish that he has been properly and lawfully adopted, then he has all the privileges which falls as a son born to his adopted mother. The provision of law very clear on this. That cannot be a ground to refuse to grant legal heirship certificate.

4.Let the order which had rejected the application of the petitioner be served on the petitioner on or before 31.01.2022 and thereafter, let the petitioner again take steps in and present a



representation to the respondents and sensitize about the Section 12 of the Hindu Adoptions and Maintenance Act, 1956 which gives privilege to the petitioner as a born son of his adopted mother.

5. With the said observations, the Writ Petition stands disposed of giving necessary liberty to the petitioner to agitate the same issue again as above. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sjj

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Revenue Divisional Officer,
Madurai District.

2. The Tahsildar,
Thirupparamkundram Taluk,
Madurai District.

+1 CC to M/s.H.THAYUMANASWAMY, Advocate (SR-1431[F] dated 12/01/2022)

+1 CC to M/s.SPL.GP (SR-1679[F] dated 19/01/2022)

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12.01.2022

RD(31.01.2022) 2P 5C