



WEB COPY

W.P.No.9746 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2024

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.9746 of 2024

G.Pragathiswar @ Sathishkumar

... Petitioner

Vs.

1.The District Collector,
Villupuram District,
Villupuram.

2.The Revenue Divisional Officer,
Villupuram.

3.The Tahsildar,
Kandachipuram Taluk,
Villupuram District.

4.Viji

5.Umasri

... Respondents

[R-4 and R-4 are impleaded as per order dated 17.04.2024
in WMP.No.11748/2024 in WP.No.9746/2024]

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 3rd respondent rejecting the petitioner's



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application Number TN-720231122176 seeking Legal Heir Certificate for his deceased adopted father Mr.Guruji, who died on 28.02.2021 quash the same and consequently direct the 3rd respondent to issue Legal Heir Certificate to the petitioner herein.

For Petitioner	: Mr.R.Dhanasekar
For R1 to R3	: Mr.U.Baranidharan Additional Government Pleader
For R4 & R5	: Mr.S.Palani Velayutham
	: Mr.S.Vinoth Kumar Government Advocate (Criminal Side)

ORDER

The order of rejection, rejecting the application submitted by the writ petitioner seeking legal heirship certificate of deceased Mr.Guruji is under challenge in the present writ petition.

2. The authorities rejected the application mainly on the ground that the petitioner has not produced any document to establish adoption. In the absence of a registered deed of adoption, the authorities may not be in a



position to conduct enquiry and issue legal heirship certificate.

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3. Regarding the status of the mother of the deceased, the Inspector of Police, Kandachipuram Taluk, Villupuram District filed a status report stating that the senior citizen aged about 88 years is not compelled to reside there and she is residing herself. Therefore, there is no obstruction for the daughter of the senior citizen to visit her in the house of the writ petitioner.

4. As far as the legal heirship certificate is concerned, the petitioner is at liberty to prove his legal adoption in the manner known to law and in the event of establishing the adoption, the authorities will be in a position to consider his case. In the absence of any such proof to establish any such adoption, the petitioner is delegated to approach the Competent Civil Court of Law. In the event of entertaining any application, if any filed by the petitioner, the authorities competent are bound to issue notice to all other interested persons / relative / legal heirs, if any and adjudicate the issues and pass appropriate orders.



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5. With these liberty, this Writ Petition stands disposed of. No costs.

25.04.2024
(1/2)

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes

To

- 1.The District Collector,
Villupuram District,
Villupuram.
- 2.The Revenue Divisional Officer,
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- 3.The Tahsildar,
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S.M.SUBRAMANIAM, J.

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