



W.P.No.10985 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **23.04.2024**

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P. No.10985 of 2024

L.Jothi

... Petitioner

Vs.

The Thasildhar,
Pallavaram Taluk,
GST Road,
Pallavaram,
Chennai – 600 043.

... Respondent

Prayer: Writ Petition is filed under Article 226 of Constitution of India, for issuance of writ of Mandamus, to direct the respondent to consider the petitioner's representation dated 20.02.2023.

For Petitioner : Mrs.R.Nirmala Devi

For Respondent : Mr.U. Baranidharan
Additional Government Pleader

ORDER

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The relief sought for in the present writ petition is to direct the respondent to consider the petitioner's representation dated 20.02.2023.

2. The petitioner submitted an application for issuance of 'Legal Heirship Certificate' for the deceased Mr.Vedachalam, who is her father's elder brother.

3. The petitioner states that her father's elder brother late Mr.Vedachalam adopted the petitioner in the year 1984, when she was at the age of 3 years. However, the petitioner could not able to produce any documents to establish legal adoption in the manner known to law. In the absence of any document to establish the adoption, the Revenue Authorities may not be in a position to issue 'Legal Heirship Certificate' and the Revenue Authorities have no jurisdiction to decide the disputes of civil nature.

4. Adoption has got civil consequences. Therefore, the Revenue Authorities cannot decide, whether adoption is legally valid or invalid. In the absence of any clear documents to establish valid adoption, the Revenue Authorities is not obligated to entertain an application for issuance of 'Legal



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Heirship Certificate'. In such circumstances, the aggrieved persons have to approach the competent Civil Court of law for the purpose of establishing their adoption in the manner known to law.

5. That being the course available to an aggrieved person, merely submitting an application or approaching the High Court under Article 226 of Constitution of India are of no avail for the purpose of securing the relief. Thus, the petitioner is at liberty to approach the competent Civil Court of law for the purpose of establishing her right regarding adoption or otherwise.

6. Accordingly, this Writ Petition stands **disposed of**. No costs.

23.04.2024

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
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To
The Thasildhar,
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S.M.SUBRAMANIAM,J.

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