



W.P(MD)No.24235 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.10.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.24235 of 2024

A.Ponsusila

... Petitioner

Vs.

1.The District Collector,
Collectorate Office,
Gorapalaym, Tuticorin District.

2.The Superintendent of Police,
Superintendent of Police Office,
Gorapalayam, Tuticorin District.

3.Inspector General of Registration,
Registration President Office,
No.100, Santhome Road,
Chennai-600 028.

4.The Sub Registrar,
Office of the Sub Registrar,
Thiruchendur.

5.S.Tamilmani

6.T.Indira

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to revoke the adoption deed in Document No.8/2022, dated 02.05.2022 given by the petitioner in favour of the respondents 5 and 6 on the file of the 4th



W.P(MD)No.24235 of 2024

respondent Office and consequently, directing the respondents 1 to 3 to consider the petitioner's representation dated 01.08.2024 within a time stipulated by this Court.

For Petitioner : Mr.P.Balamurugan
For R1 : Mr.D.Gandhiraj,
Special Government Pleader
For R2 : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)
For R3 & R4 : Mr.C.Satheesh,
Government Advocate

ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2.It is the case of the petitioner that the 5th respondent is the brother of her husband. The 6th respondent is the wife of the 5th respondent. As they have no child, the petitioner has given adoption of her second child to them in the presence of her relatives as per the customs, which is subsequently, registered as Doc.No.8/2022. Now, it is the grievance of the petitioner that the respondents 5 and 6 have become economically poor and since they are not able to proceed with the daily life in a good manner, they borrowed amount



W.P(MD)No.24235 of 2024

from various persons and they are not in a position to maintain the child.

Therefore, the petitioner made a representation dated 01.08.2024 to the official respondents, seeking cancellation of the adoption deed. Since the same has not been considered so far, the petitioner has filed this Writ Petition.

3.At the outset, this Court is of the view that as the adoption is valid and not suffered with any illegality, as a matter of right, it cannot be cancelled. Adoption has been given under the Adoption and Maintenance Act, 1956 and the document is also properly registered. Unless the petitioner establishes that the adoption is not in accordance with law and violates any provision of law, as a matter of right, she cannot seek for cancellation of the registered adoption deed. Accordingly, finding no merits, this Writ Petition is dismissed. No costs.

16.10.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

Yuva

To

1.The District Collector,
Collectorate Office,
Gorapalaym, Tuticorin District.



WEB COPY



W.P(MD)No.24235 of 2024

N.SATHISH KUMAR, J.

Yuva

- 2.The Superintendent of Police,
Superintendent of Police Office,
Gorapalayam, Tuticorin District.
- 3.Inspector General of Registration,
Registration President Office,
No.100, Santhome Road,
Chennai-600 028.
- 4.The Sub Registrar,
Office of the Sub Registrar,
Thiruchendur.

W.P(MD)No.24235 of 2024

16.10.2024