



W.P.No.7092 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 07.03.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.7092 of 2025
& W.M.P.Nos.7849 & 7853 of 2025

A.Balaji,
Son of the late K.N. Athmaraman
aged 63 years,
residing at No.13, Krishnankoil Street,
Rasipuram,
Rasipuram Taluk, Namakkal district 637408.

Now residing at No.Q.17, Prem Nagar,
South Boag road,
T.Nagar, Chennai 600 017.

... Petitioner

/versus/

1. The District Collector,
Chennai District,
Office of the District Collector,
No. 62, Rajaji Salai,
IV floor, George Town,
Chennai 600 001.

2. The Tahsildar,
Guindy Taluk,
Office of the Tahsildar,
69/40, Anna Salai,
Little Mount,
Guindy, Chennai 600 032.

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3. R.Shanthi,

4. R.Ajithkumar,

5. R.Madan Mohan,

6. R.Gobinath,

7. R.Srinivasan,

... Respondents

PRAYER: Writ Petition has been filed under Article 226 of Constitution of India, Writ of Certiorarified Mandamus, to call for the records pertaining to the issue of the order in application No.TN-720240625963 vide transaction reference TNEFA 132KAR 000000830 in rejecting the legal heir certificate pertaining to the death of the petitioner's adoptive parents namely Lalitha and Athmaraman by the Tahsilar, Guindy Taluk, office of the Tahsildar, No.69/40, Anna Salai, Little Mount, Guindy, Chennai – 600 032, the 2nd respondent herein and quash the same and direct the respondents 1 to 2 to furnish legal heirs certificate pertaining to the death of the petitioner's adoptive parents namely Lalitha and Athmaraman after considering allied factors like the petitioner's testimonials, marriage invitation as well as the official records like aadhar card, PAN card, voter identification card and family card.

For Petitioner : Mr.D.Ashok Kumar

For Respondents : Mr.S.Balamurugan,
Government Advocate, for R1 & R2

: Ms.R.Dharani, R3 to R7



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ORDER

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The writ petition is filed for a Certiorarified Mandamus to call for the records pertaining to the issue of the order in application No.TN-720240625963 bearing transaction reference No.TNEFA 132 KAR000000830 in as much as it rejects the request of the petitioner to include the petitioner's name also as a legal heirs in the death certificate of the petitioner's adoptive parents namely, Lalitha and Athmaraman.

2. The prayer made by the petitioner has been rejected by the second respondent on the ground that in the absence of any declaration by the appropriate Court or such other proof in the form of the order by the appropriate Authority relating to adoption, the second respondent is not the competent Authority to decide on the adoption and therefore, the petitioner's prayer was rejected. In this case, admittedly, the respondents 3 to 7 are the other biological legal heirs of the said persons.

3. After issuance of notice in the writ petition, the Learned Counsel appearing for the respondents 3 to 7 submits that she has entered appearance and

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she has got no objection for allowing the writ petition. The respondents 3 to 7 are also personally present before this Court and submit that the petitioner is indeed an adopted son of their parents and they have no objection whatsoever including his name also in the legal heirship certificate.

4. In view of the fact that there is no other dispute whatsoever regarding the fact that the petitioner is an adopted son among the other natural biological legal heirs of the deceased Lalitha and Athmaraman, though the second respondent is correct in rejecting the request of the petitioner, in view of the subsequent development before this Court that the respondents saying no objection and the peculiar facts and circumstances the case, this writ petition is disposed of the following terms:

(i) The second respondent is directed to reconsider the application made by the petitioner in application No.TN-720240625963, *vide* transaction reference No.TNEFA 132 KAR000000830 and include the name of the petitioner also as a legal heirs with reference to his adoptive parents, Lalitha and Athmaraman.



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(ii) The petitioner has to procedurally make a fresh application online

along with the copy of this order. The entire exercise shall be carried out by the second respondent within a period of 12 weeks from the date of the petitioner making a fresh application, without waiting for the certified copy of this order.

5. Consequently, connected Miscellaneous Petitions are closed. There shall be no order as to costs.

07.03.2025

Neutral Citation : No.

bsm

To,

1. The District Collector,
Chennai District,
Office of the District Collector,
No. 62, Rajaji Salai,
IV floor, George Town,
Chennai 600 001.

2. The Tahsildar,
Guindy Taluk,
Office of the Tahsildar,
69/40, Anna Salai,
Little Mount,
Guindy, Chennai 600 032.

3. The Government Pleader, High Court, Madras.

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