



W.P.No.34530 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.34530 of 2025

Joyce Priya Vadhana

... Petitioner

Vs.

The Tahsildar,
3rd Lane,
Tondiarpet Taluk,
Chennai – 600 081.

... Respondent

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 order in Na.Ka.No.AA1/1423/2025 dated 17.07.2025 on the file of the respondent, quash the same as illegal, arbitrary, and without jurisdiction, and consequently direct the respondent to issue a Legal Heirship Certificate in favour of the petitioner as the adopted daughter of Late Mr.K.Sam Prabhakar Rao.

For Petitioner : M/s.N.Beulah John Selvaraj

For Respondent : Mr.R.Neelakandan
Additional Advocate General



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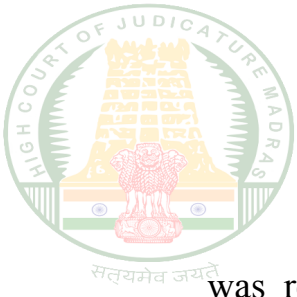
Assisted by Mrs.S.Anitha
Special Government Pleader

ORDER

The petitioner, aggrieved by the order passed by the respondent, whereby her request for issuance of legal heirship certificate was not considered favourably, has approached this Court by way of this Writ Petition.

2. Mr.R.Neelakandan, learned Additional Advocate General, assisted by Mrs.S.Anitha, learned Special Government Pleader, accepts notice on behalf of the respondent. With the consent of the learned counsel for the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. According to the petitioner, she was adopted by her maternal uncle one K.Sam Prabhakar Rao, who is a bachelor throughout his life. After his demise, the petitioner has made an application before the respondent for issuance of legal heir certificate on 01.10.2024, which



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was rejected by the respondent by way of the impugned order dated 17.07.2025 on the grounds that a single male cannot adopt a girl child and the deceased has nominated her sister as a nominee to his bank account. Aggrieved by the same, the petitioner has filed this writ petition.

4. Heard both sides and also perused the materials available on record.

5. The petitioner claims to be an adopted daughter of her maternal uncle K.Sam Prabhakar Rao. The said Sam Prabhakar Rao passed away on 30.05.2024. Thereafter, the petitioner has made an application before the respondent seeking legal heir certificate claiming that she is the adopted daughter of the deceased.

6. The petitioner has not produced any record to show that she was adopted by her maternal uncle. She has produced before this Court only the order passed by this Court in O.P.No.490 of 2002, dated 19.08.2002, wherein the said Sam Prabhakar Rao was appointed as a guardian of the petitioner.



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7. The guardian can never be equated as an adopted parent. The duties and responsibilities of a guardian are very different from that of an adopted parent. An adopted parent, in true essence, becomes a parent, and the child so adopted would be legally treated as a biological child of the adopted parents and such a child would be entitled to all legal rights as that of a biological child. In the case of guardianship, the guardian acts as a protector of the life and property of the minor child till the child attains majority.

8. In the present case, the said Sam Prabhakar Rao was appointed as guardian of the petitioner. The role of a guardian ceases to exist as soon as the minor attains majority. The petitioner at present is aged about 34 years. By no stretch of imagination, she could be treated as adopted daughter of her uncle. Hence, the order passed by the respondents warrants no interference, and this writ petition is liable to be dismissed.



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9. Accordingly, this Writ Petition is dismissed. However, liberty is granted to the petitioner to workout the remedy in the manner known to law. No costs.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
sp

To

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3rd Lane,
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M.DHANDAPANI, J.

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