



WP No. 35410 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-07-2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

WP No. 35410 of 2024

and

WMP.No.38520 of 2024

Minor Manoj
S/o.Lat J.Devendhiran
Rep. by his biological Father J.Manikandan,
No.101, School Street,
Neganur, Madhurapudhur Village,
Gingee Taluk,
Villupuram District.

...Petitioner

Vs

- 1.The Tahsildar,
Taluk Office,
Gingee Taluk,
Villupuram District.
- 2.The Executive Engineer,
TANGEDCO, Gingee,
Villupuram District.



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3.K.Lakshmi

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4.Saraswathi

[Respondents 3 and 4 impleaded vide order dated
28.07.2025 made in WMP.No.399 of 2025]

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the entire records relating to the impugned rejection order dated 27.09.2024 passed in Application No.TN-720240912108 on the file of the 1st respondent quash the same consequently directing the respondents to issue legal heir certificate of deceased J.Devendhiran by showing the petitioner alone as only adopted son further directing the 2nd respondent to furnish the certified copy of Register particulars to the petitioner's biological father on behalf of the petitioner within a stipulated period of time as fixed by this Court.

For Petitioner: Mr.R.Ezhilarasan

For Respondents: Mr.R.Neelakandan,
Additional Advocate General
assisted by Mr.S.Jayachandran,
Government Advocate for R1

Mr.P.Subramanina,
Standing Counsel for R2



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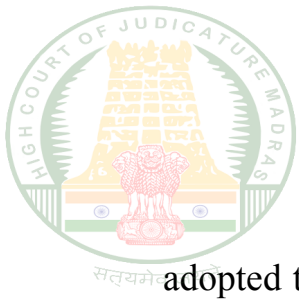
Mr.A.Mohammed Faizal
for M/s.A.N.Meenakshi
for R3 & R4

ORDER

This Writ Petition has been filed challenging the impugned rejection order dated 27.09.2024 passed by the 1st respondent and for a consequential direction to the 1st respondent to issue legal heirship certificate by showing the petitioner as the only Class - I legal heir of the deceased Devendiran.

2. Heard Mr.R.Ezhilarasn, learned counsel for the petitioner, Mr.R.Neelakandan, learned Additional Advocate General for the 1st respondent, Mr.P.Subramanian, learned standing counsel for the 2nd respondent and Mr.A.Mohammed Faizal, learned counsel for the respondents 3 and 4.

3. The case of the petitioner is that he is the son of Manigandan, who is his biological father. One Jegannathan had four children viz., Manigandan, Devendiran, Lakshmi and Saraswathi. During the life time of Devendiran, he



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adopted the petitioner and he became the adoptive father of the petitioner. The said Devendiran died on 12.08.2024. The petitioner submitted an application before the 1st respondent seeking for legal heirship certificate on the ground that he was adopted by the said Devendiran through the adoption deed dated 04.05.2022 and therefore, he is the only class - I heir, whose name must be included in the legal heirship certificate and issued to the petitioner. The 1st respondent has rejected the application on the ground that the same was objected by the other siblings. Aggrieved by the same, the present Writ Petition filed before this Court.

4. The main dispute that was raised by the impleaded 3rd and 4th respondents is that there was no valid adoption of the petitioner and that Devendiran was unmarried and he died leaving behind the petitioner's biological father Manigandan and impleaded 3rd and 4th respondents, who are the sisters and therefore there are only Class - II legal heirs, who were left behind by Devendiran. Apart from that, the impleaded 3rd and 4th respondents



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have also challenged the adoption deed and filed a suit before the competent civil Court.

5. The learned Additional Advocate General appearing on behalf of the 1st respondent submitted that the impleaded 3rd and 4th respondents questioned the claim of adoption made by the petitioner and since the same cannot be decided by the Tahsildar, the application submitted by the petitioner was rejected.

6. In the considered view of this Court, the dispute regarding the adoption of the petitioner cannot be decided by the Tahsildar. The Tahsildar while issuing the legal heirship certificate merely records the relationship between the parties. As of now, what is evident is that Devindiran died leaving behind the petitioner's father who is the brother and the 3rd and 4th respondents who are the sisters. All the three are Class - II legal heirs. To this limited extent, the legal heirship certificate can be issued by the 1st respondent. Since there is a dispute regarding the adoption of the petitioner, the same has to be adjudicated before



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the competent civil Court and the parties will be bound by the findings of the civil Court in this regard. Ultimately when the civil Court deals with this issue, the legal heirship certificate issued by the 1st respondent will have no bearing. Except giving this clarity, no further orders can be passed in this Writ Petition.

7. This Writ Petition is disposed of with the above directions. No costs.

Consequently, the connected miscellaneous petition is closed.

28-07-2025

dsa

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



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To

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Taluk Office,
Gingee Taluk,
Villupuram District.

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