



W.P.No.1057 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2025

CORAM

THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN

W.P.No.1057 of 2025
and WMP.Nos.1331 & 1332 of 2025

1. Thirupathamma
2. Govindarajan

.... Petitioners

Vs

1. The Commissioner
Greater Chennai Corporation
Rippon Buildings
Chennai 600 003.

2. The Zonal Officer
Zone XIV
Greater Chennai Corporation
Puzhthivakkam,
Chennai 600 100.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of certiorarified mandamus to call for the records vide Ma.Aa.14.Na.Ka.No.A3/086/2020 dated 03.02.2020 on the file of the



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2nd respondent and quash the same as illegal, arbitrary and without jurisdiction and further direct the 2nd respondent to nominate the petitioner's son, namely Govindarajan (2nd petitioner herein) in 1st petitioner service Register.

For Petitioner(s) : Mr.N.Beulah John Selvaraj

For Respondent(s) : Mr.Prithvi Chopda
Standing Counsel

ORDER

This writ petition has been filed for issuance of a writ of certiorarified mandamus to call for the records vide Ma.Aa.14.Na.Ka.No.A3/086/2020 dated 03.02.2020 on the file of the 2nd respondent and quash the same as illegal, arbitrary and without jurisdiction and further direct the 2nd respondent to nominate the petitioner's son, namely Govindarajan (2nd petitioner herein) in 1st petitioner service Register.

2. In the affidavit filed in support of the writ petition, it had been contended that the first petitioner is working as a Sweeper under the 2nd respondent. She had married one Pen in the year 07.03.1995 they had no



children. Her husband deserted her 18 years ago. She is living alone. She had taken a decision to adopt the second petitioner. This adoption was by a registered document No.103/2018 dated 11.04.2018. There is no dispute about the validity of the said adoption. Since her husband had deserted her the petitioner now seeks to include the name of the 2nd petitioner/adopted son in her service register. This is understandable. The responsibility is on employer to ensure that the correct name of nomination is given in the service register of every employee.

3. The petitioner now had included the 2nd petitioner as her legal heir who is her son for all practical purposes and also recognised under Section 12 of the Hindu Adoption and Maintenance Act, 1956 to have every right as natural born son. The only reason in the order impugned is that the request was made after considerable period of time. The request can be made only after the husband had deserted and the cause of action arises. Therefore, the impugned order 03.02.2020 passed by the 2nd respondent is set aside and a direction is given to the 2nd respondent to record the name of the 2nd petitioner in the service register of the first petitioner. The said exercise shall be completed within a period of four



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weeks from the date of receipt of a copy of this order.

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4. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are also closed.

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Index : Yes /No

Speaking Order : Yes/No

To

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C.V.KARTHIKEYAN, J.

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