



W.P.(MD) No. 17509 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

**W.P.(MD) No. 17509 of 2025
and
W.M.P.(MD) No.13364 of 2025**

R.Prema

... Petitioner

Vs

1. The District Collector,
Tenkasi.

2. The Revenue Divisional Officer,
Tenkasi.

3. The Tashildar,
Alangulam,
Tenkasi District.

4. The District Revenue Officer,
Tenkasi.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the record and quash the order, dated 24.05.2025 in RDOTKS/2908/2024-B2 passed by the Revenue



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Divisional Officer, Tenkasi against the order issued by Tahsildar, Alangulam in Application Number. TN-7202309061026 and consequently, pleased to issue the Legal Heir Certificate in favour of the petitioner against the deceased adoptive mother Madana Sundari within one month or time stipulated directed by this Court.

For petitioner : Mr.R.Raghaev

For respondents : Mr.D.Gandhiraj
Special Government Pleader

ORDER

This Writ Petition is disposed of at the time of admission after hearing the learned counsel for the petitioner and learned Special Government Pleader for the respondents.

2. The petitioner has filed this Writ Petition against the impugned order passed by the second respondent/Revenue Divisional Officer, whereby the appeal of the petitioner against the order of the third respondent/Tahsildar for issuance of Legal Heir Certificate has been rejected on the ground that the petitioner has no records to substantiate that she is the legally adopted daughter of the Late.



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Madana Sundari, who died on 17.08.2023.

3. In support of the present Writ Petition, the petitioner has filed the following documents:

1. Copy of Nomination for Tamil Nadu Government Pensioners' Family Security Fund Scheme;
2. Copy of Family Card
3. Copies of Voter ID of the said Late.Samuthirapandi, Late.Madana Sundari and the petitioner, and
4. Copy of Marriage invitation of the petitioner.

4. The learned counsel for the petitioner further submits that as per the order of this Court in ***W.P.No.7978 of 2025, dated 07.03.2025*** in the case of ***Arasu S. vs. The Thasildar, Chennai***, a direction has been given under similar circumstances for issuance of Legal Heir Certificate.

5. The judicial review under Art.226 of Constitution of India is limited to the decision making process and not to make the decision *per se*.



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6. In this case, I find no violation of the procedure adopted either by the third respondent/Tahsildar or by the second respondent/Revenue Divisional Officer in passing the impugned order. The impugned order has referred to a report of the Revenue Inspector, Alangulam, wherein, the Revenue Inspector has stated that the petitioner was born to one Ramasamy and Arunachala Vadivu and that there are no records to substantiate that the petitioner was legally adopted by the said Late.Madana Sundari and her husband Late.Samudrapandi.

7. The petitioner appears to have above mentioned documents, which indicate that there is an adoption, although not strictly in accordance with provisions of the Hindu Adoptions and Maintenance Act, 1956.

8. Since there are overwhelming documents that the petitioner was adopted and brought up by the said Madana Sundari-Samudrapandi, it is for the petitioner to approach the Civil Court for appropriate decree.

9. Accordingly, this Writ Petition is dismissed, with liberty to the petitioner to get a decree to the effect that the petitioner is the adopted daughter of the said



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Madana Sundari-Samudrapandi. No costs. Consequently, connected
miscellaneous petition is closed.

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Internet : Yes / No

apd

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C.SARAVANAN, J.

apd

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