



CRP(MD). No.599 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 18.02.2026

CORAM

THE HONOURABLE MRS. JUSTICE N.SENTHILKUMAR

CRP(MD).No.599 of 2023 and
CMP(MD).No.2761 of 2023

1.Govindhammal
2.Kandhammal
3.Rajalakshmi

... Petitioners

Vs

1.Ramalakshmi
2.Umamaheswari

... Respondents

PRAYER :- Civil Revision Petitions filed under Article 227 of the Constitution of India as against the fair and decreetal order made in I.A.No.4 of 2022 in O.S.No.361 of 2015, dated 15.12.2022 on the file of the Additional Sub Court, Srivilliputur.

For Petitioners	: Mr.M. Thirunavukkarasu
For respondent No.1	: Mr.C. Vakeeswaran
For respondent No.2	: Mr. M. Muthumari
	Legal Aid Counsel
	(No appearance)

ORDER

This Civil Revision Petition has been filed against the fair and



CRP(MD), No.599 of 2023

decreetal order dated 15.12.2022 made in I.A. No. 4 of 2022 in O.S. No. 361 of 2015 on the file of the Additional Sub Court, Srivilliputtur.

2. Heard the learned counsel appearing for the revision petitioner and the learned counsel for the first respondent.

3. The revision petitioners are the defendants in O.S. No. 361 of 2015 on the file of the Additional Sub Court, Srivilliputtur. They were given in adoption to one Krishnasamy Pillai by virtue of customary procedure. The revision petitioners contended that the first respondent is not a legal heir of Krishnasamy Pillai, though she is the biological daughter of Krishnasamy Pillai. There is no dispute with regard to the status of the first respondent as the biological daughter of Krishnasamy Pillai. The dispute arises on the ground that a legal heir certificate was issued by the Tahsildar, in which the revision petitioners were shown as the legal heirs of Krishnasamy Pillai and the name of the first respondent does not find place. Therefore, their primary contention is that the first respondent is not a legal heir of Krishnasamy Pillai, though the



CRP(MD). No.599 of 2023

biological relationship is not in dispute, as according to them, the first respondent was given in adoption to one Ganapathi Pillai. Hence, an amendment application was filed to set aside the order passed by the Tahsildar.

4. The learned counsel appearing for the first respondent contended that, as against the legal heirship certificate issued by the Tahsildar, an appeal was filed before the Revenue Divisional Officer and the Revenue Divisional Officer directed the parties to get the issue resolved before the competent Civil Court. Therefore, an amendment application was filed seeking to amend the prayer to declare the first respondent as one of the legal heirs of said Krishnasamy Pillai in the pending partition suit, which has been resisted in the present revision. He further submitted that the first respondent disputed the adoption as alleged by the revision petitioners.

5. Per contra, the learned counsel appearing for the revision petitioners contended that the first respondent's name is reflected as a



CRP(MD). No.599 of 2023

legal heir of the deceased Ganapathi Pillai and, therefore, his contention is that the first respondent is riding two horses at the same time, claiming to be the legal heir of Ganapathi Pillai while also claiming rights as the biological daughter of Krishnasamy Pillai and asserting a share in the property.

6. Therefore, without going into the merits of the case with regard to the legal heirship certificate claimed by the first respondent, the issue is left open to be established before the competent Court. Accordingly, this Civil Revision Petition is allowed and the order passed by the trial court in I.A. No. 4 of 2022 in O.S. No. 361 of 2015, dated 15.12.2022, on the file of the Additional Sub Court, Srivilliputtur, is set aside. No costs. Consequently, the connected Miscellaneous Petition is closed.

18.02.2026

TRP

Index : yes / no

Internet: yes/ no



CRP(MD). No.599 of 2023

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The the Additional Sub Court, Srivilliputtur.



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CRP(MD). No.599 of 2023

N.SENTHILKUMAR, J.,

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CRP(MD).No.599 of 2023 and
CMP(MD).No.2761 of 2023

18.02.2026