



WP(MD). No.6720 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 03/03/2026

CORAM

THE HON'BLE MR. JUSTICE HEMANT CHANDANGOUDAR

WP(MD). No.6720 of 2022
and WMP(MD)No.5192 of 2022

L.Baskar

... Petitioner

Vs

The Thasildhar,
Nanguneri Taluk,
Tirunelveli District.

... Respondent

PRAYER :- Wit Petition filed under Article 226 of Constitution of India, praying this Court to issue of Writ Certiorarified Mandamus to call for records relating to the rejection order dated 11.01.2022 passed by the Respondent is illegal and quash the same and consequently directing the Respondent to issue 2nd clause legal heir Certificate of his Paternal uncle namely Sunararaj and Aunt namely Sarawathi infavour of he petitioner based on his representation dated 01.04.2022 wihtin a stipulated time fixed by this Court.

For Petitioner : Mr. M.Thangadurai

For Respondent : Mr.P.Subbaraj

Special Government Pleader



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ORDER

The petitioner challenges the order dated 11.01.2022 passed by the respondents.

2. By the said order, the petitioner's application for issuing legal heir certificate came to be rejected.

3. The petitioner claims that one Periyamma, who is the sister of the adoptive mother of the petitioner died on 27.10.2015 without any issues. Therefore, the petitioner states that he is the adoptive son of Periyamma and her sister namely Saraswathy died on 15.09.2021 without any issue. Therefore, he is only surviving class-II her and hence, submitted an application to the respondent to issue legal heir certificate.



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4. The learned counsel for the petitioner submitted that in the sale deed executed by a adoptive mother there is clear description that the petitioner is the adopted son and therefore, the petitioner is legally recognized son of the deceased Periyamma and therefore, the petitioner is the only surviving class-II heir.

5. In response, the learned Special Government Pleader submitted that the petitioner has not produced registered adoption deed to substantiate that he is the only surviving class-II heir of the respondent and the respondent has rightly rejected the application.

6. Heard both sides.

7. The petitioner has not produced any decree passed by the jurisdictional civil court or a fully registered adoption deed to substantiate that he is the adopted son of the deceased Periyamma



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who is the sister of the deceased Saraswathy, except the sale deed wherein there is a mention that the petitioner is adopted son of the deceased Periyamma. Such description cannot be construed that the petitioner is legally adopted son of the deceased Periyamma. Therefore, the respondent has rightly rejected the application submitted by the petitioner.

8. Accordingly, this writ petition is dismissed giving liberty to the petitioner to approach the jurisdictional civil court seeking appropriate declaration. No costs. Consequently, connected miscellaneous petition is closed.

03.03.2026

CM

TO

The Thasildhar,
Nanguneri Taluk, Tirunelveli District.

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HEMANT CHANDANGOUDAR,J

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ORDER
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