



W.P.(MD)No.21989 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.04.2026

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD)No.21989 of 2025
and
W.M.P.(MD)No.17086 of 2025

A.Edward Swamidhas

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Collectorate, Tirunelveli.

2.The District Revenue Officer,
O/o. the Collectorate,
Tirunelveli District.

3.The Sub Collector / Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli District.

4.The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited, Maharaja Nagar,
Tirunelveli District.

5.The Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited, Vallioor,
Tirunelveli District.

6.Jenifer Jeba Snowslin

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to permit the petitioner and the sixth respondent to undergo the DNA test through the appropriate Government Laboratory for the effective adjudication of Revision Petition filed by the petitioner in R.C.No. 3488678/2025 dated 28.06.2025 and after obtaining final order in the Revision Petition, the respondents 4 and 5 may be permitted to disburse the terminal benefits of late A.Jebasither, Foreman, to the original legal heirs.

For Petitioner	: Mr.M.Saravanakumar
For R1 to R3	: Mr.M.Lingadurai Special Government Pleader
For R4 and R5	: Mr.B.Ramanathan Standing Counsel
For R6	: Mr.M.Mahaboob Athiff for Mr.V.Shabthakiri Raja

ORDER

The writ petition has been filed seeking issuance of a Writ of Mandamus directing the respondents 1 and 2 to permit the petitioner and the sixth respondent to undergo a DNA test through an appropriate Government laboratory for the effective adjudication of the Revision Petition filed by the petitioner in R.C.No.3488678/2025, dated



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28.06.2025, and thereafter, upon passing of final orders in the said Revision Petition, to permit the respondents 4 and 5 to disburse the terminal benefits of late A.Jebasithar, who was working as a Foreman, to the rightful legal heirs.

2. Upon hearing the learned counsel for the petitioner and perusing the materials available on record, it is the case of the petitioner, namely A.Edward Swamidhas, that he is the brother of late A.Jebasithar. The said Jebasithar was married to one Esther Kala, who died on 08.01.2014. The said Jebasithar died on 08.09.2024. Subsequently, the sixth respondent, namely, Jenifer Jeba Snowslin, claimed herself to be the daughter of the deceased, and a legal heirship certificate was issued in her favour. Aggrieved by the same, the petitioner has filed the Revision Petition dated 28.06.2025. Pending the same, the present writ petition has been filed seeking a direction to conduct a DNA test to establish that the sixth respondent is not the biological daughter of late Jebasithar.

3. The learned counsel for the petitioner would submit that even in the report filed by the first respondent/District Collector, it is indicated that the Tahsildar, Radhapuram, upon enquiry in the Village, reported that



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the sixth respondent is not the biological child of Jebasithar and Esther Kala, but was adopted by them in accordance with law. Therefore, it is contended that the status of the sixth respondent requires proper verification, and hence, the relief sought in the writ petition deserves to be granted. It is further submitted that if the sixth respondent is only an adopted child, such fact was not disclosed at the time of issuance of the legal heirship certificate, and therefore, the same has been obtained by furnishing incorrect particulars.

4. Per contra, the learned Special Government Pleader appearing for the respondents 1 to 3 would submit that while issuing the legal heirship certificate, the authorities had considered relevant documents such as, the Birth Certificate, Family Card, Community Certificate, Aadhaar Card, and educational records. It is further submitted that even at the time of issuance of the legal heirship certificate of the deceased's wife Esther Kala, the name of the sixth respondent was included as the daughter, and hence, the present certificate was rightly issued.

5. The learned counsel appearing for the sixth respondent would submit that the writ petition is wholly motivated. It is contended that the



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Birth Certificate issued by the North Vallioor Municipality (Registration No.229/2005) clearly shows that the sixth respondent was born to Jebasithar and Esther Kala. All educational records, including school certificates and college Transfer Certificate, consistently reflect the name of Jebasithar as her father. The Family Card, Aadhaar Card, and other documents also establish the same. Further, it is submitted that Jebasithar, during his lifetime, had nominated the sixth respondent as his daughter in his service records for the purpose of receiving terminal benefits. Hence, it is contended that the relief sought in the writ petition cannot be granted.

6. I have considered the rival submissions and perused the materials records of the case.

7. The case of the petitioner is primarily based on suspicion and alleged Village gossip that the sixth respondent was not the biological child of Jebasithar and Esther Kala, but was brought up by them. The only supporting material relied upon is the report of the Tahsildar, Radhapuram, which itself is based on local enquiry and the gossip in the Village.



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WEB COPY 8. On the contrary, the records reveal that a Birth Certificate was issued by the competent authority, namely, the Birth and Death Registrar of North Vallioor Municipality, registering the birth of the sixth respondent as early as on 21.02.2005 (Registration No.229 of 2005), immediately after her birth on 07.02.2005. The said certificate clearly mentions the names of the parents as Jebasithar and Esther Kala. Throughout her educational career, as well as in official documents such as Family Card, Aadhaar Card, and PAN Card, the name of Jebasithar is consistently shown as her father. Significantly, Jebasithar himself had nominated the sixth respondent as his daughter in his service records.

9. In view of such overwhelming documentary evidence, this Court is of the considered view that mere suspicion or unsubstantiated claims cannot be a ground to direct a DNA test. Even in cases involving genuine doubt, Courts exercises restraint in ordering DNA tests, particularly, when such direction would disturb settled familial status.

10. In the present case, the overwhelming evidence clearly establishes that the sixth respondent is the daughter of late Jebasithar and



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Esther Kala. Therefore, no further enquiry, including DNA testing, is warranted. Accordingly, this Court holds that no ground exists to doubt the paternity or relationship of the sixth respondent. The prayer sought in the writ petition is therefore, liable to be rejected. It is, however, made clear that the first respondent shall pass final orders in the Revision Petition, taking into account the observations made by this Court.

11. The Writ Petition is disposed of accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

09.04.2026

Neutral Citation : No
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To

- 1.The District Collector,
Tirunelveli District,
Collectorate, Tirunelveli.
- 2.The District Revenue Officer,
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D.BHARATHA CHAKRAVARTHY, J.

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