



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-07-2026

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THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

**WP No.25722 of 2026
and
WMP No.28108 of 2026**

1. Krishnan.C
2. Satish.K

..Petitioner(s)

Vs

1. The Dean,
Omandurar Government Hospital,
Omandurar Government Estate,
Anna Salai,
Mount Road,
Chennai 600 002.
2. The Resident Medical Officer (RMO),
Omandurar Government Hospital,
Omandurar Government Estate,
Anna Salai, Mount Road,
Chennai 600 002.
3. The Inspector of Police,
K6 T.P. Chatram Polcie Station,
No 121, Kilpauk Garden,
T.P. Chatram Main Road,
Jyothiammal Nagar,
Shenoy Nagar,
Chennai 600 010.

..Respondent(s)



PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus, directing respondents to forthwith release the mortal remains / body of deceased Mrs.G.Charumathy presently kept at the Government Mortuary attached to Omandurar Government Hospital, Chennai, and hand over the same to first petitioner, being the person who lived with and cared for the deceased for over two decades, for conducting funeral and last rites.

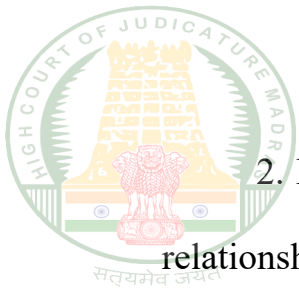
For Petitioner(s): Mr.R.Agileswaran

For Respondent(s): Mr.J.V.Sakthi Baalakrishnan
Government Counsel
for R1 and R2

Mr.M.Dinesh
Government Advocate
(Criminal Side)
for R3

ORDER

The present writ petition has been filed for a direction to respondents to forthwith release mortal remains/body of deceased Ms.G.Charumathy presently kept at the Government Mortuary attached to Omandurar Government Hospital, Chennai, and hand over the same to first petitioner, being the person who lived with deceased for over two decades, for conducting funeral and last rites.



2. First petitioner and deceased Ms.G.Charumathy lived together (live in relationship) in a shared household for over two decades. First petitioner took care of deceased during her lifetime, they had no children. On the demise of Ms.G.Charumathy on 05.06.2026 at Omandurar Government Hospital, second respondent refused to release and handover mortal remains of deceased to first petitioner on the ground that he was not her legally recognised spouse, while first respondent failed to grant necessary permission or relief despite first petitioner producing materials, evidencing their long-standing relationship, importantly there are no rival claimants to the body.

3. It was submitted by learned State Counsel for respondents 1 and 2 that enquiries were made by third respondent, which revealed that petitioner and deceased Ms.G.Charumathy lived together for over two decades, most importantly, enquiry was also made as to whether there are any other relatives claiming mortal remains of deceased Ms.G.Charumathy. However, there is none.

4. In view of the above submission, this Court is of the view that first petitioner may be granted mortal remains of deceased Ms.G.Charumathy to have a dignified burial. Respondents are thus directed to handover the mortal remains of deceased Ms.G.Charumathy to first petitioner, within a period of one week from the date of uploading of web copy without waiting for the receipt of



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5. Accordingly, writ petition stands disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MRN

To

1. The Dean

Omandurar Government Hospital,
Omandurar Government
Estate, Anna Salai,
Mount Road,
Chennai 600 002.

2. The Resident Medical officer (RMO)

Omandurar Government Hospital,
Omandurar Government Estate,
Anna Salai, Mount Road,
Chennai 600 002.

3. The Inspector of Police,

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MOHAMMED SHAFFIQ, J.

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