



W.P(MD)No.8277 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.8277 of 2026

and

WMP (MD) Nos.6779 of 2026

Asha

... Petitioner(s)

vs.

1. The Registrar Cum Corporation
Health Officer,
Tiruchirappalli City Municipal Corporation,
Bharathidasan Salai,
Cantonment,
Tiruchirappalli-620001.

2. The Tahsildar,
Tirchy West,
Tiruchirappalli.

3. C. Annalakshmi

... Respondent(s)

PRAYER: Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorari calling for the records pertaining to the impugned order dated 14.02.2026 passed by the 1st Respondent vide Na.Ka.No.H9/6687/2024(Mai) and the consequential order dated 17.02.2026



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passed by the 2nd respondent vide Muu.Mu.A3/0415/2026, quash the same as illegal.

For Petitioner	: Mr. G.Anto Prince
For R2	: Mr.R.Ramasamy, Counsel for State
For R3	: Mr.R.Muthukrishnan

ORDER

This Writ Petition has been filed challenging the impugned order dated 14.02.2026 passed by the first respondent and the consequential order dated 17.02.2026 passed by the second respondent.

2. Heard the learned counsel for the parties. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself. Since no adverse order is going to be passed, notice to the first respondent is dispensed with.

3. The learned counsel appearing for the petitioner submitted that the petitioner claims to be the wife of one Alagappan, who died on 14.01.2024. After his demise, the petitioner made an application for issuance of a Death Certificate.



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Accordingly, the competent authority issued the Death Certificate by mentioning the petitioner as the wife of the deceased. Subsequently, challenging the said Death Certificate, the third respondent/Anna Lakshmi, filed W.P.(MD) No.20688 of 2025 before this Court. This Court, by order dated 30.07.2025, impleaded the Tahsildar *suo motu* and directed the authority to conduct an enquiry after affording an opportunity of hearing to all the concerned parties and thereafter pass appropriate orders in accordance with law. It is the grievance of the petitioner that, without providing any opportunity of hearing as directed by this Court, the respondent authority issued a fresh Death Certificate by deleting the petitioner's name and substituting the name of the third respondent, Anna Lakshmi, as the wife of the deceased. Aggrieved by the said proceedings, the present writ petition has been filed.

4. The learned counsel for the petitioner would further submit that the marriage between the petitioner and the deceased Alagappan was solemnized on 13.12.2021 under the provisions of the Christian Marriage Act. In support of the said marriage, the petitioner has produced the Marriage Certificate, Marriage Invitation and other supporting documents, which have been enclosed in the



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typed set of papers. According to the learned counsel, the said documents clearly establish the marital relationship between the petitioner and the deceased. Without considering the said materials and without affording any opportunity of hearing to the petitioner, the impugned order has been passed in violation of the principles of natural justice. Hence, the learned counsel prayed that the impugned order be set aside and the matter be remitted to the respondent for fresh consideration after providing due opportunity to all the parties concerned.

5. Per contra, the learned counsel appearing for the third respondent submitted that the third respondent is the legally wedded wife of the deceased Alagappan. According to him, their marriage was solemnized on 06.06.2011 in accordance with Hindu rites and customs at Meenakshi Palaniyappa Thirumana Mandapam, Rayavaram, Pudukkottai District, much prior to the alleged marriage claimed by the petitioner. The marriage was also entered in accordance with the customary practices of the Nattukottai Chettiar Community. Marriage photographs, family photographs and other supporting documents have also been produced before this Court. It is further submitted that out of the said wedlock, a female child namely Alagammai was born on 18.03.2012. The Birth Certificate



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WEB COPY issued by the Greater Chennai Corporation records the names of the deceased Alagappan and the third respondent Anna Lakshmi as the parents of the child. It is also pointed out that the deceased had opened a Fixed Deposit for a sum of Rs.35,000/- by nominating the third respondent as the nominee. These documents, according to the learned counsel, clearly establish that the third respondent is the legally wedded wife of the deceased.

6. The learned counsel further submitted that the Death Certificate initially issued mentioning the petitioner as the wife was obtained by misrepresentation. Pursuant to the order passed by this Court in W.P.(MD) No. 20688 of 2025, the competent authority rectified the mistake and issued the corrected Death Certificate. It is also submitted that the petitioner has subsequently obtained a Legal Heirship Certificate on the strength of the erroneous Death Certificate and the third respondent has already initiated appropriate proceedings for cancellation of the said Legal Heirship Certificate. The learned counsel appearing for the third respondent further contended that even assuming that the petitioner claims to have married the deceased under the provisions of the Christian Marriage Act, there is absolutely no material to



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establish that the mandatory procedures contemplated under the said Act, including issuance of notice prior to the marriage and publication of such notice on the notice board of the Church, were complied with. Therefore, the alleged marriage itself is doubtful and cannot confer any legal status upon the petitioner.

7. This Court has carefully considered the rival submissions made on either side and perused the materials placed on record.

8. The core dispute between the parties is with regard to the marital status of the petitioner and the third respondent in relation to the deceased Alagappan. Such a dispute involves adjudication of complicated questions of fact requiring appreciation of oral and documentary evidence. The writ jurisdiction under Article 226 of the Constitution of India is not an appropriate forum to adjudicate such disputed questions of matrimonial status. The competent authority, while exercising powers under the Registration of Births and Deaths Act, is not expected to decide disputed questions relating to the validity of marriage or the status of rival claimants. Such issues can be conclusively decided only by a competent Civil Court.



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9. In view of the above, this Court is not inclined to interfere with the impugned proceedings. However, liberty is granted to the petitioner to approach the competent Civil Court for declaration of her marital status and to establish her claim as the legally wedded wife of the deceased Alagappan. If such declaration is obtained, it is open to the petitioner to submit an appropriate application before the competent authority for correction of the entries in the Death Certificate. On such application, the authority shall consider the same in accordance with law, taking into account the decree or declaration passed by the competent Civil Court. It is made clear that any Legal Heirship Certificate or other revenue records issued shall abide by the result of the civil proceedings that may be initiated by the petitioner.

10. With the above observations and liberty, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

29.07.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes
PKN



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M.DHANDAPANI,J.

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**ORDER MADE IN
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DATED : 29.07.2026