



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2015

CORAM

THE HONOURABLE MR. JUSTICE R. SUBBIAH

W.P(MD) .No.13898 of 2015

M.Puthiyavan Sathish

...Petitioner

Vs.

1.The District Collector,
Thoothukudi District.2.The Tahsildar,
Vilathikulam,
Thoothukudi District.3.The Sub-Registrar,
Sub-Registrar Office,
Vilathikulam Taluk,
Thoothukudi District.4.The Village Administrative Officer,
South Side, Kulathur Village,
Vilathikulam Taluk,
Thoothukudi District.

... Respondents

This Writ Petition has been filed Under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the third respondent to cancel the erroneous death entry of Murugesapandi, S/o.Mookkaiah Nadar, dated 04.03.1995.

For petitioner : Mr.M.M.Manivelpandian
For Respondents : Mr.K.Mahesh Raja
Government Advocate

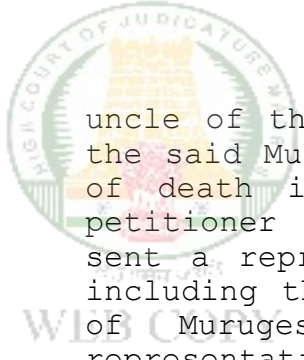
ORDER

This Writ Petition has been filed praying for a Writ of Mandamus directing the third respondent to cancel the erroneous death entry of Murugesapandi, S/o.Mookkaiah Nadar, dated 04.03.1995.

2. Mr.K.Mahesh Raja, learned Government Advocate takes notice for the respondents.

3. By consent, this Writ Petition itself is taken up final disposal.

4. In the affidavit filed in support of this Writ Petition, it has been averred that the petitioner's paternal uncle Murugesan @ Murugesapandi died on 20.02.1995 in a private hospital at Thoothukudi. The hospital authorities have registered the death of Murugesan @ Murugesapandi as he died on 20.02.1995. While so, yet another paternal



uncle of the petitioner by name Rajamanivel has registered the death of the said Murugesan @ Murugesapandi by giving a false date as if the date of death is 04.03.01995. This fact was found to be known to the petitioner only recently. Immediately, on 29.06.2015, the petitioner sent a representation along with the documents to all the respondents including the third respondent for cancellation of erroneous death entry of Murugesan @ Murugesapandi, dated 04.03.1995 and the said representation was not considered so far. Hence, the petitioner has come forward with this Writ Petition.

5. Though the Writ Petition has been filed to give a direction to the third respondent to cancel the erroneous death entry of Murugesan @ Murugesapandi, dated 04.03.1995, I am of the considered opinion that such a positive direction cannot be given to the third respondent. Since, this Court has not conducted enquiry on the case projected by the petitioner. Therefore, it would be appropriate to give a direction to the third respondent to consider the representation of the petitioner.

6. Accordingly, without going into the merits of the averments made in the petition, the third respondent is directed to conduct enquiry by enquiring all necessary parties and pass appropriate orders on the representation of the petitioner, dated 29.06.2015, on merits and in accordance with law, within a period of eight weeks from the date of receipt of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

pm

To

1.The District Collector, Thoothukudi District.

2.The Tahsildar, Vilathikulam,
Thoothukudi District.

3.The Sub-Registrar, Sub-Registrar Office,
Vilathikulam Taluk, Thoothukudi District.

4.The Village Administrative Officer,
South Side, Kulathur Village, Vilathikulam Taluk,
Thoothukudi District.

+1CC to Mr.M.Manivelpandian ADV Sr.No.44072

+1CC to Spl.Government Pleader SR.No.44276

W.P (MD) .No.13898 of 2015

Dated: 05.08.2015

GJM-20.8.15-2P-7C

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