

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 21.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.14685 of 2016

Neelavathi Anbalagan

.. Petitioner

Vs.

1. The Commissioner,
Corporation of Chennai,
Rippon Buildings, Chennai - 3.

2. The Health Officer,
Zone 06, Corporation of Chennai,
Chennai.

.. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India seeking for a writ of mandamus directing the respondents to take action on the petitioner's representation dated 20.08.2015 requesting them to make necessary entries regarding the husband's name of the petitioner's mother Bhagirathi and her place of residence in her Death Certificate in the respondents' register maintained under the Birth and Death Act 1969.

For Petitioner : Mr.N.Nagu Sah

For Respondents : Mr.P.V.Selvakumar,
Additional Government Pleader

सतयमेव जयते
O R D E R

Heard Mr.N.Nagu Sah, learned counsel appearing for the petitioner and Mr.P.V.Selvakumar, learned Additional Government Pleader, accepting notice on behalf of the respondents. By consent of the learned counsel on either side, the Writ Petition is taken up for final disposal.

2.The petitioner is the daughter of Late Padmanabha Mudaliar and Late Bhagirathi. The petitioner's case is that her mother passed away on 29.10.2000 and her death was registered on 19.12.2000 and a certificate in that regard has been issued by the Corporation of Chennai on 24.02.2012. While issuing the Death Certificate, the husband's name of Late Bhagirathi has not

been mentioned in the Certificate. Now, the petitioner wants the husband's name of Late Bhagirathi to be entered in the Death Certificate for which the parties have to produce the State Bank of India passbook of Late Bhagirathi and the petitioner's passport to show that Bhagirathi's husband is Padmanabha Mudaliar.

3. In my view to enter the name of the husband in the Death Certificate, procedure has to be followed. That apart, the delay of almost four years requires to be explained and the petitioner has to produce some other document to show that husband of Late Bhagirathi is Late Padmanabha Mudaliar and that document should be a document other than the Bank Passbook and the document can be ration card or some other document where Bhagirathi has been described as wife of Padmanabha Mudaliar. If the petitioner produces such a document before the 2nd respondent along with a copy of this order, the 2nd respondent shall conduct an enquiry as provided under law and thereafter pass orders, on merits and in accordance with law, within a period of eight weeks from the date on which the petitioner submits a representation and produces the necessary documents to the satisfaction of the 2nd respondent.

4. The Writ Petition is disposed of accordingly. No costs.
va

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Commissioner,
Corporation of Chennai,
Rippon Buildings, Chennai - 3.

2. The Health Officer,
Zone 06, Corporation of Chennai,
Chennai.

+ 1 cc to M/s. N. Nagu Shah Advocate, SR 24819

+ 1 cc to M/s. P. V. Selvakumar, Advocate, SR 25143

rsk(co)
prk5/5

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