

HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

WRIT PETITION No.26444 of 2016

ORDER:

This writ petition is filed seeking a writ of Mandamus declaring the action of the respondents 3 to 5 in not issuing the death certificate of the petitioner's daughter namely S.Harika Reddy, as illegal and arbitrary.

2. Heard the learned counsel for the petitioner, Sri G.Seshadri, learned Standing Counsel for respondents 4 and 5, the learned Government Pleader for Panchayat Raj and Rural Development and the learned Government Pleader for Revenue (Andhra Pradesh).

3. A perusal of the record reveals that the daughter of the petitioner died on 29.10.2015 in Kandanalapadu village, Venkatagiri Mandal, SPSR Nellore District. On the same day the petitioner informed the death of his daughter to the fifth respondent. The petitioner also submitted a representation dated 21.07.2016 to the respondents 3, 4 and 5 for issuance of the death certificate of his daughter. There is a statutory obligation on the part of the fifth respondent to issue death certificate to the family members of the deceased. For one reason or other, the fifth respondent did not issue the death certificate of the daughter of the petitioner.

4. At the time of arguments, the only relief sought by the learned counsel for the petitioner is to direct the fifth respondent to dispose of the representation of the petitioner dated 21.07.2016.

5. In view of the submissions made by both counsel, this Court is not inclined to go into the merits of the main case.

6. Having regard to the facts and circumstances of the case, the fifth respondent is hereby directed to dispose of the representation of the petitioner dated 21.07.2016, which is filed for issuance of the death certificate of the daughter of the petitioner, by name S.Harika Reddy, in the light of the provisions of the Andhra Pradesh Panchayat Raj Act, 1994 as expeditiously as possible, preferably, within a period of fifteen (15) days from the date of receipt of copy of this order.

7. Accordingly, this writ petition is disposed of. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

T.SUNIL CHOWDARY, J

August 8, 2016.

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