

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2017

CORAM

The Honourable MR.JUSTICE M.DURAIWAMY

W.P.No.16465 of 2017

J.Sankareswari

... Petitioner

Vs

1. The Deputy Commissioner (Health)
Greater Chennai Corporation
Ripon Buildings Chennai 600 003
2. The City Health Officer
Greater Chennai Corporation
Ripon Buildings
Chennai 600 003
3. The Zonal Officer
Zone-XV No.120 Rajiv Gandhi Salai
Sholinganallur Chennai 600 119
4. The Zonal Health Officer
Zone XV No.120 Rajiv Gandhi Salai
Sholinganallur Chennai 600 119
5. M.Selvi

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondents to consider the petitioner representation dated 01.02.2017 and to change the wife name in the petitioner husband death certificate as J.Sankareshwari instead of M.Selvi.

For Petitioner : Mr.L.Christopher

For Respondents : Mr.Selvasekaran,
Standing Counsel (Corpn.)

ORDER

Mr.Selvasekaran, learned Standing Counsel takes notice for the Corporation. By consent, the main writ petition itself is taken up for disposal at the admission stage itself.

2. The petitioner has filed the above writ petition to issue a writ of mandamus to direct the respondents to consider

her representation dated 01.02.2017 and to change the name of the wife in her husband's death certificate as J.Sankareshwari instead of M.Selvi.

3. The learned counsel appearing for the petitioner submitted that the petitioner is the legally wedded wife of late Jayapandian. However, the name of the 5th respondent has been mentioned as the wife of late Jayapandian in his death certificate. In these circumstances, the petitioner gave a representation dated 01.02.2017 to the respondents for rectifying the defect, which has not yet been considered by the respondents.

4. Mr.Selvasekaran, learned Standing Counsel appearing for the respondent Corporation submitted that the 4th respondent may be directed to consider the petitioner's representation, after conducting enquiry and giving an opportunity of hearing to the 5th respondent, and pass orders in accordance with law.

5. In view of the submissions made by the learned counsel on either side, without expressing any opinion with regard to the merits of the case, I direct the 4th respondent to consider the petitioner's representation dated 01.02.2017 and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, after conducting enquiry and giving an opportunity of hearing to the 5th respondent.

With the above observations, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Deputy Commissioner (Health)
Greater Chennai Corporation
Ripon Buildings Chennai 600 003

2. The Zonal Health Officer
Zone XV No.120 Rajiv Gandhi Salai
Sholinganallur Chennai 600 119.

+1cc to Mr.L.Christopher, Advocate, S.R.No.45450

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CS IV

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CA(07/07/2017)