



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.4050 of 2016

Maheswari

... Petitioner

Vs.

1.The Commissioner of Corporation,
Madurai Corporation,
Corporation Office,
Madurai.

2.The Dean,
Government Rajaji Hospital,
Madurai.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to register the petitioner's husband namely Seran Senkootuvan's death by considering the petitioner's representation dated 30.11.2015 and consequently direct the 1st respondent to issue death certificate for the death of the petitioner's husband to the petitioner.

For Petitioner : Mr.N.Sekar

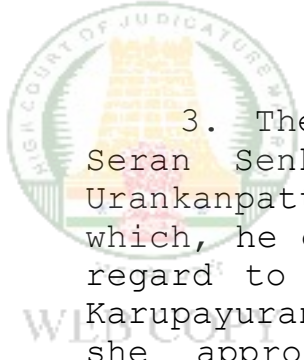
For Respondents : Mr.N.Shanmugaselvam for R.1

Mr.M.Alagathevan,
Special Government Pleader for R.2

ORDER

This writ petition has been filed by the petitioner seeking a Writ of Mandamus, directing the first respondent to issue a death certificate in respect of death of her husband, namely Seran Senkootuvan, by duly considering her representation dated 30.11.2015.

2. Heard the learned counsel appearing for the petitioner, the learned counsel appearing for the first respondent and the learned Special Government Pleader appearing for the second respondent.



3. The case of the petitioner is that her husband, namely Seran Senkootuvan, met with an accident on 09.02.2013, near Urankanpatti Bus Stand, Sivagangai Main Road, Madurai, pursuant to which, he died on 10.02.2013, during the course of treatment. With regard to the said accident, a case has been registered before Karupayurani Police Station, in Crime No.56 of 2013. Thereafter, she approached the first respondent for issuance of death certificate in proof of her husband's death. As her request was not considered, she was constrained to file a writ petition in W.P (MD)No.18754 of 2015, wherein, this Court, by order dated 14.10.2015, directed the first respondent to consider and pass appropriate orders on the representation of the petitioner dated 24.08.2015. Based on the said order, the first respondent, instead of issuing a death certificate to the petitioner, had passed an order, stating that the second respondent had not registered the death of the petitioner's husband and therefore, directed the petitioner to approach the second respondent, seeking to register the same. Though she has approached the second respondent for the said relief, she has been made to run from pillar to post without issuing the said certificate. Aggrieved by the same, the petitioner is before this Court once again.

4. The learned Special Government Pleader appearing for the second respondent, on instructions, submitted that all the details regarding the death of the petitioner's husband, have already been furnished by the hospital authorities to the Department concerned.

5. Under such circumstances, to give quietus, this Court directs the first respondent to consider the application of the petitioner dated 09.08.2017 and take necessary steps regarding issuance of death certificate to the petitioner within a period of four weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub-Assistant Registrar

To

1.The Commissioner of Corporation, Madurai Corporation,
Corporation Office, Madurai.

2.The Dean, Government Rajaji Hospital, Madurai

+One cc to Mr.N.Shanmuga Selvam, Advocate, SR.No.72690

+One cc to The Special Government Pleader, SR.No.72947

gk

RL/5C/2P/GT/SAR1/24/8/2017