

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2018

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P No.5195 of 2018
W.M.P.No.6357 of 2018

S.Hariprasad

..Petitioner

Vs

1.Corporation of Salem,
Rep.by its Commissioner,
Fort, Salem.

2.Sulochana .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, forbearing the 1st respondent and their subordinates from issuing the cremation certificate and death certificate of the petitioner's father viz., Dr.K.C.Subramaniam S/o.Chennappa Chettiar died on 30.10.2017 at Government General Hospital, Salem either to 2nd respondent or to any other person without conducting detailed enquiry.

For Petitioner : Mr.R.Neelakandan

For Respondents : Ms.K.Bhuvaneshwari
Standing counsel for R1
No appearance for R2

सत्यमेव जयते
O R D E R

The petitioner has come forward with this writ petition, forbearing the first respondent and their subordinates from issuing the cremation certificate and death certificate of his father viz., Dr.K.C.Subramaniam, to the second respondent without conducting detailed enquiry.

2.Heard Mr.R.Neelakandan, learned counsel for the petitioner and Ms.K.Bhuvaneshwari, learned Standing counsel appearing for the first respondent. Despite service of notice on the second respondent and her name being printed in the cause list as Sulochana, there is no appearance either in person or through counsel.

3.The case of the petitioner is that his father Dr.K.C.Subramaniam, passed away on 30.10.2017, leaving behind his wife and five children as his legal heirs. According to the petitioner, the second respondent was working as a Nurse in his father's clinic and she has no relation with the petitioner's family. But, she is attempting to get death certificate from the first respondent and hence, the petitioner gave representations dated 05.11.2017 and 05.12.2017. Since no favourable reply, the present writ petition.

4. The learned counsel for the first respondent on instructions submitted that the first respondent is ready to conduct an enquiry and only after enquiry they will issue death certificate. 5. Recording the submissions made by the learned counsel for the first respondent, this writ petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(Audit)

//True Copy//

Sub Assistant Registrar

ms

To

1.The Commissioner,
Corporation of Salem,
Fort, Salem.

+1cc to Mr.R.Neelakandan, Advocate, S.R.No.21929

+1cc to Mrs.Bhuvaneswari, Advocate, S.R.No.22475

W.P No.5195 of 2018 and
W.M.P.No.6357 of 2018

VGII (CO)

RRK (19/04/2018)

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