

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 04.06.2018
CORAM:
THE HONOURABLE MR. JUSTICE T.RAJA
W.P.No.11370 of 2018

K.Chandra

... Petitioner

Vs

- 1.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Erode-638 001.
- 2.The Tahsildar,
Office of the Tahsildar,
Erode-638 001.
- 3.The Village Administrative Officer,
Nadupalayam, Chithode-638 102,
Erode District.
- 4.The Executive Officer,
Town Panchayat,
Chithode-638 102,
Erode District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner's representation dated 20.02.2018 and provide her the correct death certificate of her husband by carrying out the correction in their registers.

For Petitioner :Mr.S.Shankar

For Respondents :Mr.V.Jayaprakash Narayanan,
Special Government Pleader
for R1 to 3
Mr.N.Inbanathan,
Additional Government Pleader
for R4

O R D E R

This Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner's representation dated 20.02.2018 and provide her the correct death certificate of her husband by carrying out the necessary correction in their registers.

2. Learned Counsel appearing for the petitioner submitted that the petitioner is the wife of late Kittusamy who died on 27.02.2001. They got only one daughter, namely, Kavitharani who also got married on 19.01.2000. Therefore, the petitioner was living with her husband in No.204 B, Yousuf Nagar, Naduppalayam, Chithode, Erode Taluk and District. They have also obtained Ration Card, namely, Family Card for the years 1998-2003 correctly mentioning her husband's name as Kittusamy for the above said Door Number. After the death of her husband, when the petitioner applied for death certificate before the 4th respondent, namely, The Executive Officer, Town Panchayat, Chithode, Erode District, without even properly considering the name of her husband, wrongly mentioning the name of her husband as P.Krishnasamy instead of P.Kittusamy issued the Death Certificate on 02.03.2001.

3. The learned Counsel appearing for the petitioner again drawing the attention of this Court to the Transfer Certificate of the Petitioner's daughter Kavitharani issued by the Principal, Kandasamy Kandar College, Vellore (Namakkal) submitted that in that Transfer Certificate, the name of the petitioner's husband has been correctly mentioned as P.Kittusamy. Therefore, a representation has been given to correct the name of her husband as P.Kittusamy instead of P.Krishnasamy and to reissue a fresh death certificate expeditiously. Since the same has not been considered, the petitioner is before this Court with this Writ Petition.

4. Mr.V.Jayaprakash Narayanan, learned Special Government Pleader takes notice for the respondents 1 to 3 and Mr.N.Inbanathan, learned Additional Government Pleader takes notice for the 4th respondent.

5. The learned Additional Government Pleader appearing for the 4th respondent sought for a week's time to consider the representation of the petitioner and to do the needful.

6. Recording the statement made by the learned Additional Government Pleader appearing for the 4th respondent, this Court hereby directs the 4th respondent to consider the representation of the petitioner dated 20.02.2018 in the light of the Family Card of the petitioner for the years 1998-2003 and the Transfer Certificate issued to the daughter of the petitioner by the Principal Kandasamy Kandar College, Vellore (Namakkal) mentioning the name of the petitioner's husband as P.Kittusamy along with her Aadhar Card and the Sale Deed dated 16.7.1991 executed by the petitioner's husband and accordingly, issue the correct Death Certificate within a period of one month from the date of receipt of a copy of this Order.

7. The Writ Petition is disposed of accordingly.
costs.

No

//True Copy//

Sd/-
Assistant Registrar(CS VI)

Sub Assistant Registrar

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To

- 1.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Erode-638 001.
- 2.The Tahsildar,
Office of the Tahsildar,
Erode-638 001.
- 3.The Village Administrative Officer,
Nadupalayam, Chithode-638 102,
Erode District.
- 4.The Executive Officer,
Town Panchayat,
Chithode-638 102,
Erode District.

+1 cc to Mr.S.Shankar Advocate sr 34471
+1 cc to the Government Pleader sr 34742

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