



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P. (MD) No.8420 of 2018

S.Alagarsamy

... Petitioner

vs.

1. The District Collector,
Virudhunagar District,
Virudhunagar.

2. The Tahsildhar,
Tahsildhar Office,
Aruppukottai Taluk,
Aruppukottai, Virudhunagar District.

3. The Assistant Element Educational Officer,
Aruppukkottai,
Virudhunagar District.

4. The Village Administrative Officer,
Kullampatti Village,
Aruppukkottai Taluk,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 to cancel the death certificate of Dhanasekaran S/o. Mallaaiah Naicker dated 01.03.2018 issued by the fourth respondent herein based on the petitioner's representation dated 28.03.2018.

For Petitioner : Mr.PR.Boomee Rajan

For Respondents : Mr.V.Anand

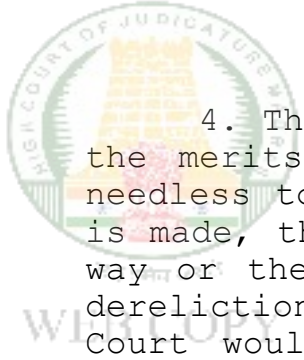
Government Advocate

O R D E R

Mr.V.Anand, learned Government Advocate, takes notice for the respondents.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioner that his representation dated 28.03.2018 to the respondents 1 and 2 to cancel the death certificate of Dhanasekaran S/o. Mallaaiah Naicker dated 01.03.2018 issued by the fourth respondent, has not been considered by the second respondent till date and therefore, he has filed the present writ petition.



4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the second respondent to consider the petitioner's representation dated 28.03.2018 on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the persons who may be interested in the subject property.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Tahsildhar,
Tahsildhar Office,
Aruppukottai Taluk,
Aruppukottai, Virudhunagar District.
3. The Assistant Element Educational Officer,
Aruppukkottai,
Virudhunagar District.
4. The Village Administrative Officer,
Kullampatti Village,
Aruppukkottai Taluk,
Virudhunagar District.

+1cc to M/S.PR.Boomee Rajan, Advocate SR.No. 61983

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