



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.15896 of 2018

A.Jeevarathinam

... Petitioner

vs.

1. The District Collector,
Office of the District Collector,
Tirunelveli District.
2. The Tahsildar,
Sankarankovil Taluk,
Sankarankovil,
Tirunelveli District.
3. The Sub Registrar,
Sankarankovil Registration office,
Sankarankovil,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the second respondent/ Tahsildar, Sankarankovil, to issue the correct Death Certificate of my mother Annapoornam mentioning the correct name of my father as Kurupatham instead of Kurunthan on the basis of the petitioner's representation dated 26.03.2018.

For Petitioner : Mr.V.Selva
For R1 and R2 : Mr.V.Anand,
Government Advocate
For R3 : Mr.M.Murugan,
Government Advocate

O R D E R

Mr.Mr.V.Anand, learned Government Advocate, takes notice for the respondents 1 and 2, and Mr.M.Murugan, learned Government Advocate, takes notice for the third respondent.

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 26.03.2018 seeking to carry out the correction in the Death Certificate of the petitioner's mother Annapoornam, by mentioning the correct name of the petitioner's father as Kurupatham instead of Kurunthan, has not been considered by the first



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 26.03.2018 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 and any other persons who may be interested in the subject matter.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar (CS-II)

To:

1. The District Collector,
Office of the District Collector,
Tirunelveli District.
2. The Tahsildar,
Sankarankovil Taluk,
Sankarankovil,
Tirunelveli District.
3. The Sub Registrar,
Sankarankovil Registration office,
Sankarankovil,
Tirunelveli District.

+ 1 CC TO Mr.V.SELVA, ADVOCATE IN SR No. 74650

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 74253

PNN

TE/RP/SAR-1 : 01/08/2018 : 2P/6C

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