

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2019

CORAM

THE HON'BLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.NO.3691 OF 2019

AND

W.M.P.NOS.4061 & 4063 OF 2019

Mahalakshmi

...Petitioner

Vs.

1. Government of Tamil Nadu,
By its Secretary,
Public (RH-1) Department,
Secretariat, Chennai.

2. The District Collector,
Perambalur.

3. The Revenue Divisional Officer,
Perambalur.

4. The Thasildhar,
Kunnam,
Perambalur District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the regards of the 3rd respondent proceedings O.Mu.(A6) 4690/2017, dated 02.08.2017 and quash the same as illegal and direct the 3rd respondent to issue death certificate for the death of the petitioner's husband.

For Petitioner : Mr.S.Muthukrishnan

For Respondents : Mr.E.Balamurugan
Special Government Pleader

O R D E R

Mr.E.Balamurugan, learned Special Government Pleader takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner is aggrieved against the proceedings of the third respondent dated 02.08.2017, wherein and whereby, the petitioner's request for issuing a death certificate of her husband viz., Anandhan Durai, was rejected on the reason that her husband died on 09.04.2014 at Dubai and therefore, it is for the petitioner to obtain the death certificate only from the said Country.

3. Heard the learned counsel appearing for the petitioner and learned Special Government Pleader appearing for the respondents.

4. It is contended by the learned counsel for the petitioner that even though the petitioner's husband died in Dubai, since the cremation took place at the place within the jurisdiction of the third and fourth respondents, they ought to have given the death certificate.

5. I failed to understand as to how the petitioner is justified in making such request before the authorities viz., third and fourth respondents for issuing the death certificate of her husband, when, admittedly, the death occurred in a foreign country on 09.04.2014.

6. At this juncture, the learned counsel appearing for the petitioner submitted that the United Arab Emirates, Ministry of Health, already issued a certificate informing that the said Anandhan Durai died on 09.04.2014 due to traffic accident. In fact, the copy of the said certificate is also enclosed in the typed set of papers.

7. If such death certificate was already issued, I do not think that the petitioner is required to get one more certificate from the hands of the third and fourth respondents, as such request is totally unsustainable. Accordingly, I find no reason to entertain this writ petition. Hence, this writ petition fails and the same is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sni/mk

To

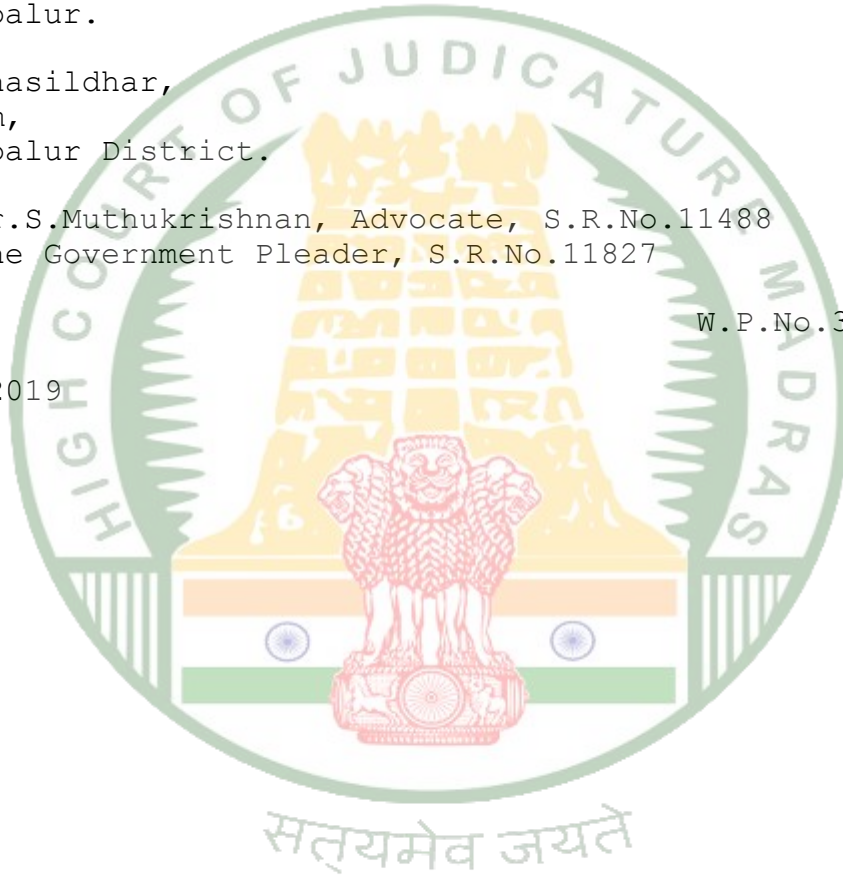
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+1cc to Mr.S.Muthukrishnan, Advocate, S.R.No.11488

+1cc to the Government Pleader, S.R.No.11827

W.P.No.3691 of 2019

CS/06/03/2019



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