



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.08.2019**

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.18021 of 2019

P. Chinnammal

...Petitioner

-Vs-

1.The District Collector,
Madurai District Collector Office,
Madurai-625020

2.The Thasildar,
Madurai East Thasildar Office,
Madurai District.

3.The Village Administrative Officer,
Vandiyur Village Administrative Office,
Vandiyur, Madurai.

...Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents to rectify and change the petitioner's husband correct name as M.Periya Sibbai and gender as Male in death Certificate of her husband, based on the petitioner's representation dated 29.03.2019 within the time stipulated by this Court.

For Petitioner : Mr.B.Sukumar

For Respondents :Mr.C.M.Mari Chellaiah Prabhu, A.G.P.

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the respondents to rectify and change the petitioner's husband correct name as M.Periya Sibbai and gender as Male in death Certificate of her husband, based on the petitioner's representation dated 29.03.2019 within the time stipulated by this Court.

2.Heard Mr.B.Sukumar, learned counsel appearing for the petitioner and Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader appearing for the respondents.

3.It is the case of the petitioner that the petitioner's husband one Periya Sibbai died on 12.12.2009. Pursuant to which, the concerned Village Administrative Officer, viz., the 3rd respondent issued death certificate in Death Certificate No.167/2009 dated 15.12.2009, whereas, in the said death certificate, the name of the petitioner's husband was named as M.Subbayee instead of Periya Sibbai and in the column "sex", it has been mentioned as female instead of male. Therefore, in order to rectify the said mistakes, the petitioner had been struggling for all these years by giving various representations to the respondents and the earlier representation given to the Madurai North Tahsildar has been



forwarded to the Madurai East Tahsildar i.e., the 2nd respondent stating that the issue falls under the jurisdiction of the 2nd respondent office and therefore, before the 2nd respondent also, the petitioner had given a recent representation dated 06.08.2019 and the same is pending with the 2nd respondent. Therefore, in order to decide the same and to rectify the mistake committed by the respondents in the death certificate of the husband of the petitioner, the petitioner has approached this Court with the aforesaid prayer.

4.I have heard the learned Additional Government Pleader, who would submit that, the said representation of the petitioner dated 06.08.2019 would be considered and decided and if any mistake is claimed by the petitioner occurred in the death certificate No.167 of 2009 dated 15.12.2009 issued for the death of the petitioner's husband, the same would be immediately rectified and a rectified death certificate would be given to the petitioner.

5.Having regard to the said submissions made by both sides and by taking into account the factual matrix of this case, this Court is inclined to dispose of this writ petition, with the consent of both the parties, at the stage of admission itself, with the following direction:

"The 2nd respondent is hereby directed to consider the representation of the petitioner dated 06.08.2019 and accordingly, decide whether the claim of the petitioner that mistake occurred in the death certificate of her husband is correct and if so, necessary correction has to be made and after rectifying the same, a corrected death certificate of the husband of the petitioner shall be given to the petitioner, within a period of two weeks from the date of receipt of a copy of this order."

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

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

Arul

To

1.The District Collector,

Madurai District Collector Office, Madurai-625020

2.The Thasildar, Madurai East Thasildar Office, Madurai District.

3.The Village Administrative Officer,

Vandiyur Village Administrative Office, Vandiyur, Madurai.

+1 CC to M/s.SPL GP (SR-82851[F] dated 21/08/2019)

Order made in

W.P. (MD) No.18021 of 2019

Dated: **20.08.2019**

SMA/19/12/19/2P/5C

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