



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P. (MD) No.19430 of 2019

S.Yasothai

... Petitioner

vs.

1.The Commissioner/Registrar of Birth and Death,
Tiruvengadam Town Panchayat,
Tirunelveli District.

2.The District Registrar,
Registrar of Birth and Death,
Tiruvengadam Town Panchayat,
Tirunelveli District.

... Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of mandamus directing the respondents herein to consider the application of the petitioner dated 09.04.2019 under the provision of the Registration of Birth and Death Certificate Act, 1969, submitted to the respondents and to make necessary change and correct the wife's name in the Death Certificate as legally wedded wife S.Yasodhai instead of Ayyammal in the petitioner's husband P.Subbiah's Death Certificate issued by the respondents as per records produced by the petitioner before them.

For Petitioner : Mr.S.Mahalakshmi

For Respondents : Mrs.J.Padmavathi Devi

Special Government Pleader

O R D E R

Mrs.J.Padmavathi Devi, learned Special Government Pleader takes notice on behalf of the respondents.

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

3.The petitioner claims that she is the legally wedded wife of one late P.Subbiah. The respondents, while issuing the death certificate of her husband, entered the name of one 'Ayyammal' as wife. Hence, the petitioner filed an objection before the respondents on 09.04.2019 and sought the respondents to correct the said wrong entry in the Death Certificate. According to the petitioner, her name should have been entered in the death certificate of her husband in stead of the name of one Ayyammal.



4.The above issue requires elaborate enquiry. Therefore, this Court is of the view that a direction to be given to both the respondents.

5.Accordingly, the respondents are directed to conduct a proper enquiry, on the basis of the application/objection, dated 09.04.2019, submitted by the petitioner to the respondents under the provision of the Registration of Birth and Death Certificate Act, 1969, after giving notice to the all the parties concerned and pass orders within a period of 8 weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

Vs

To:

1.The Commissioner/Registrar of Birth and Death,
Tiruvengadam Town Panchayat,
Tirunelveli District.

2.The District Registrar,
Registrar of Birth and Death,
Tiruvengadam Town Panchayat,
Tirunelveli District.

+1 CC to M/s.S.MAHALAKSHMI, Advocate SR-86368.

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