

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2020

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.177 of 2020

P.Veeramani

...Petitioner

..Vs..

1.The Revenue Divisional Officer,
South Chennai Division,
Guindy,
Chennai.

2.Zonal Health Officer,
Zone-XIV, Corporation of Chennai,
Public Health Division,
Corporation of Chennai,
Puzhuthivakkam,
Chennai - 91.

...Respondents

PRAYER: Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to pass appropriate approval order, in furtherance of the second respondent's report dated 30.10.2019, submitted before the first respondent, in respect of the registration of the death of the petitioner's mother, Smt.Pappathiammal, in the Birth and Death register of Corporation of Chennai, within stipulated time.

For Petitioner : Mr.P.Thiagarajan

For Respondents : Mr.R.Govindasamy
Special Government Pleader
for R1

Mrs.B.Manimegalai
for R2

O R D E R

The writ petition is filed in the nature of Mandamus, seeking a direction to the first respondent to pass appropriate approval order, in furtherance of the second respondent's report dated 30.10.2019, in respect of the registration of the death of the petitioner's mother, Smt.Pappathiammal, in the Birth and Death register of Corporation of Chennai.

2.In the affidavit filed in support of this writ petition, it has been stated that the mother of the petitioner, by name Smt.Pappathiammal, expired on 16.10.1984, at Old No.1/154, New No.1/168, Muttukadu Road, East Coast Road, Kottivakkam, Chennai - 600041. The petitioner had inadvertently failed to register the death under the Birth and Death Control Act. Section 13 of the Registration of Births and Deaths Act, 1969 provides for delayed registration of Births and Deaths. Therefore, the petitioner had filed a petition before the Revenue Divisional Officer, Tambaram, to register the death and issue a certificate. The Revenue Divisional Officer had directed the Tahsildar, Sozhinganallur to take appropriate steps. In the mean time, the Sozhinganallur Taluk came under the Greater Chennai Corporation. Therefore, the second respondent, which has control over the said area, had directed the petitioner to get the certificate from the local police station. The Inspector of Police, Neelangarai Police Station filed a report dated 14.06.2018 to the second respondent. However, the second respondent had not initiated any steps. Hence, the present writ petition has been filed.

3.Today, the learned counsel for the second respondent had forwarded a communication dated 18.02.2020, clarifying that Muttukadu Road and East Coast Road are one and the same. Consequently, there is no hindrance in registering the death of the mother of the petitioner, by name Smt.Pappathiammal, who died on 16.10.1984, at Old No.1/154, New No.1/168, Muttukadu Road, East Coast Road, Kottivakkam, Chennai - 600041.

4.The learned Special Government Pleader has also stated that since the clarification has been issued by the second respondent, an order would be passed within a reasonable period of time.

5.Accordingly, this Court directs the first respondent to pass appropriate approval order, with reference to the registration of the death of the petitioner's mother, Smt.Pappathiammal, who died on 16.10.1984, in the Birth and Death register of Corporation of Chennai, on or before

15.03.2020.

6.In the above terms, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

hvk

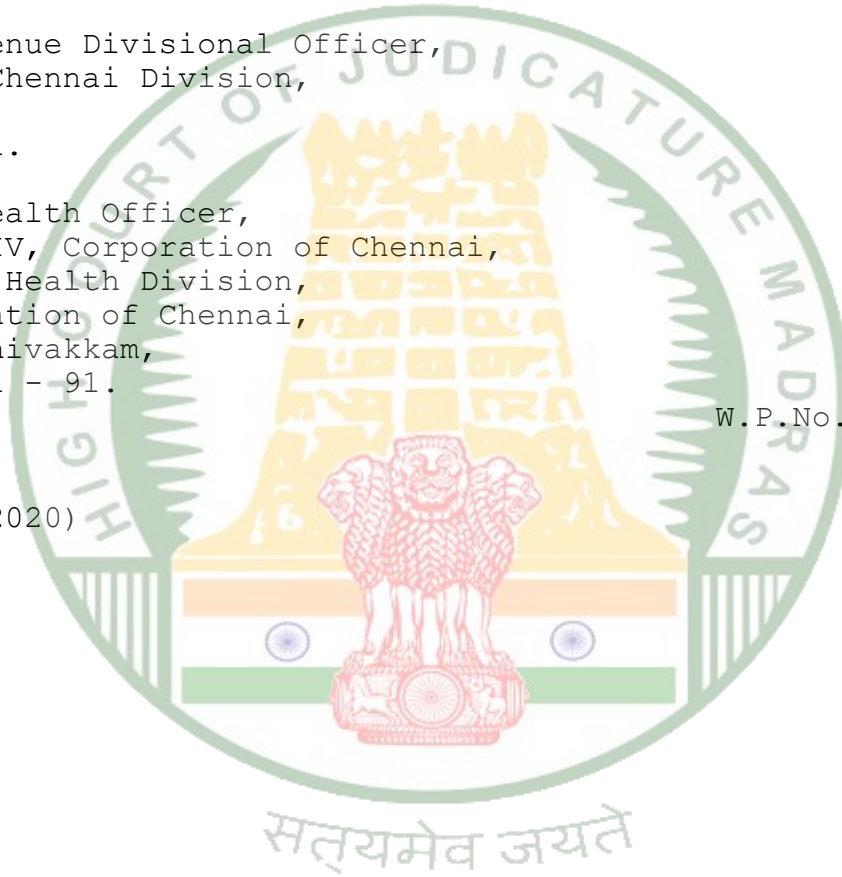
To

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SPD(CO)
CB(06/03/2020)



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