

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.6707 of 2020

and

WMP No.7962 of 2020

S.M.Mani

..Petitioner

.v.

- 1.The Commissioner,
The Greater Chennai Corporation,
Rippon Building,
Poondhamalli Main Road,
Chennai.
 - 2.The Regional Officer,
Zonal-7,
Ambattur,
Chennai.
 - 3.The Zonal Health Officer,
Zonal-7,
Birth and Death Registration (Dept) Officer,
Greater Chennai Corporation,
Tiruvallur High Road,
Opposite Dunlop,
Chennai 600 053.
 - 4.The Sanitary Officer,
Birth and Death Registration (Dept) Officer,
Greater Chennai Corporation,
Thiruvallur High Road,
Opposite Dunlop,
Chennai 600 053.
- ... Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to issue a Death Certificate for the petitioner's deceased wife A.Lalithasaraswathi with the petitioner's name being shown as her husband, on the basis of the petitioner's representation dated 26.02.2020.

For Petitioner : Mr.P.Valliappan

For Respondents : Mrs.Karthika Ashok
Standing Counsel

O R D E R

This writ petition has been filed for the issue of a writ of mandamus, directing the 4th respondent to issue a Death Certificate to the petitioner based on the representation made by the petitioner on 26.02.2020.

2.The case of the petitioner is that his wife passed away on 25.02.2020. According to the petitioner, she was originally married to one Venugopal in the year 1960 and thereafter, he died in the year 1972. Thereafter, the petitioner and the deceased were living as husband and wife. The further case of the petitioner is that their marriage was also registered before the concerned authority on 12.11.2003, under the Hindu Marriage Act. The petitioner has further stated that his wife has executed settlement deeds in his favour and those documents clearly shows that the petitioner is the husband of the deceased.

3.After her demise, the petitioner made a representation for issuance of the Death Certificate. Since no action was taken on the representation made by the petitioner, the present writ petition has been filed before this Court seeking for appropriate directions.

4.Heard Mr.P.Valliappan, learned counsel appearing for the petitioner and Mrs.Karthika Ashok, learned Standing Counsel appearing on behalf of the respondents.

5. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the 4th respondent to consider the representation made by the petitioner on 26.02.2020 and to issue a Death Certificate after taking into consideration the records submitted by the petitioner, within a period of two weeks from the date of receipt of copy of the order. The petitioner is directed to make a fresh representation along with a copy of this order.

This Wit Petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

- 1.The Commissioner,
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+1cc to M/s.P.Valliappan, Advocate Sr.23461
+1cc to M/s.Karthikaa Ashok, Advocate Sr.23243

W.P.No.6707 of 2020

sj[co]
srg 20/03/2020