



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.7783 of 2020

Joan Pushbarani

... Petitioner

Vs.

1.The Executive Officer,
Nazerath Town Panchayat,
Nazerath, Tissaiyanvilai Taluk,
Thoothukudi District.

2.Violet Jebarani

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, to direct the respondents to issue Death Certificate of the petitioner's husband Mr.David Jawahar Singh to the petitioner and consider her representation dated 06.11.2019.

For Petitioner : Mr.K.Arunraj

For R1 : Mr.A.Muthukaruppan,
Special Government Pleader.

For R2 : Mr.D.Gandhiraj

ORDER

Heard the learned counsel on either side.

2.This writ petition has been filed for directing the first respondent to issue death certificate for the deceased David Jawahar Singh. Now it is stated that the name has subsequently been changed by a Gazette Notification. The first respondent is hesitating to issue death certificate because there are rival claimants. The writ petitioner as well as the second respondent claim that the deceased was not the husband of the other.

3.I can understand the hesitation of the first respondent, if it pertains to the legal heir certificate. however, that is not the case here. What is now sought for is only a death certificate. Therefore, I direct the first respondent to issue death certificate to the petitioner. I make it clear that merely because the petitioner is armed with the death certificate of the deceased David Jawahar Singh that will not confer any right on her.

4.It is stated that the second respondent has also given an
<https://hcservices.ecourts.gov.in/hcservices/>



application for issuing death certificate. Therefore, the first respondent is directed to give one copy of the death certificate to the second respondent also. As regards filling up the column regarding wife, the first respondent may clarify that the status is contested.

WEB COPY

5. With the above clarification and observation, this writ petition is allowed. No costs.

Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

gns

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Executive Officer,
Nazerath Town Panchayat,
Nazerath
Tissaiyanvilai Taluk,
Thoothukudi District.

W.P. (MD) No. 7783 of 2020
27.08.2020

KM (04.09.2020) 2P 2C