



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2020

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 8440 of 2020

M.Muthurani

... Petitioner

Vs.

1. The Registrar,
Registration of Birth and Death Officer,
Ward No.28, Corporation of Madurai, Madurai.

2. The Managing Director/Manager,
Guru Hospital, No.4/120F, Pandi Kovil Ring Road,
Mattuthavani, Madurai - 625 107.

3. Parvathy

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to carry out the correction in the Death Certificate of the petitioner's husband K.Muniasamy vide Death Registration Certificate No.D-2019: 33-5277-000376 on the basis of considering of her representations dated 24.06.2019, 03.03.2020 and consequently direct the first respondent to issue fresh Death Certificate of her husband Late.K.Muniasamy to her, within the time frame that may be fixed by this Court.

For Petitioner	: Mr.V.Muthuvelan
For R-1	: Mr.T.S.Mohamed Mohideen
For R-3	: Mr.B.K.Rajendran
For R-2	: Mr.S.Venkatesh

O R D E R

Heard the learned counsel on either side.

2. The petitioner contends that she alone is the legally wedded wife of Late.K.Muniasamy. The third respondent contests the said assertion.

3. Therefore, the issue that arises in this writ petition is who are the legal heirs of Late.K.Muniasamy.

4. I am afraid that this issue has to be necessarily resolved only before the jurisdictional civil Court. Therefore, this writ petition stands dismissed giving liberty to the petitioner to move the jurisdictional civil Court. If the petitioner files such a suit within a period of two months from the date of receipt of a copy of



this order, the Court below is requested to dispose of the same on merits and in accordance with law within a period of eight months thereafter. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pmu

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:

1. The Registrar,
Registration of Birth and Death Officer,
Ward No.28, Corporation of Madurai, Madurai.

+1 CC to M/s.S. VENKATESH, Advocate (SR-17785[F] dated 23/09/2020)

+1 CC to M/s.B.K. RAJENDRAN, Advocate (SR-18023[F] dated 24/09/2020)

+1 CC to M/s.T.S. MOHAMED MOHIDHEEN, Advocate (SR-18025[F] dated 24/09/2020)

W.P. (MD)No.8440 of 2020
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SRK (CO)

AP(30/09/2020) 2P 5C