



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.8556 of 2020

and

W.M.P (MD)No.7920 of 2020

WEB COPY

K.Thangavel

... Petitioner

Vs.

1.The District Collector,
Karur District,
Karur.

2.The Commissioner,
Karur Municipality,
Karur District.

3.The Revenue Divisional Officer,
Karur Division,
Karur District.

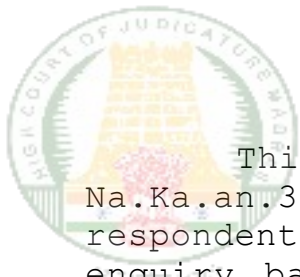
4.The Tahsildar,
Karur Taluk,
Karur District.

5.The Sub-Registrar,
Mela Karur Sub-Registrar Office,
Karur District.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the second respondent herein in his proceedings in Na.Ka.an.3582/h3/2012, dated 18.06.2012 consequently direct the third respondent to conduct enquiry based upon the representation's of the petitioner dated 21.07.2020 within stipulated time fixed by this Court for directing the second respondent to register the death of the petitioner's father.

For Petitioner	: Mrs.Prabha for Mr.S.Gokulraj
For R1, R3 to R5	: Mr.M.Murugan Government Advocate
For R2	: Mr.J.Senthil Kumaraiah Standing Counsel



O R D E R

This Writ Petition is filed to quash the proceedings in Na.Ka.an.3582/h3/2012, dated 18.06.2012 passed by the second respondent consequently direct the third respondent to conduct enquiry based upon the representation's of the petitioner dated 21.07.2020 and for directing the second respondent to register the death of the petitioner's father.

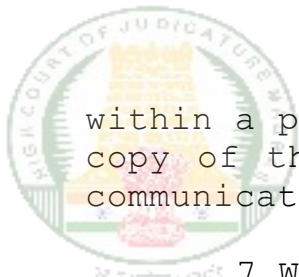
2.Heard Mrs.Prabha, learned counsel appearing for the petitioner, Mr.M.Murugan, learned Government Advocate appearing for the respondents 1,3 to 5 and Mr.J.Senthil Kumaraiah, learned Standing Counsel appearing for the second respondent.

3. The petitioner has made a representation to the third respondent on 21.07.2020 stating that the death of Karuppanna Gounder. The third respondent has sent a communication to the petitioner on 04.08.2020 by directing the petitioner to appear before the third respondent and to produce the relevant documents and also informed that after conducting the enquiry by the Sub-Registrar/Municipal Officer and to submit a report before the Sub-Divisional Magistrate and Revenue Divisional Officer with proper format along with the relevant records. Based on the said communication, the petitioner has submitted an application on 19.09.2020 and the said application is pending before the third respondent. Therefore, the learned counsel appearing for the petitioner has made a request that the said application submitted by the petitioner shall be considered and pass appropriate orders.

4.The learned Government Advocate appearing for the respondents 1,3 to 5 would submit that the petitioner earlier has made an application on 21.07.2020 and the third respondent has sent a communication on 04.08.2020 and thereafter, the petitioner has made an application on 19.09.2020 and the same is pending and the said application will be considered by conducting an enquiry in accordance with law and then take a decision on the petitioner's application.

5. The learned Standing counsel appearing for the second respondent would submit that as per the Government Order in G.O. (Ms) No.293, dated 02.12.2016, Health and Family Welfare (AB2) Department, the third respondent is the competent authority to pass the order and thereafter, the second respondent has to consider the same.

6. In the light of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case, is inclined to direct the third respondent to consider the application of the petitioner dated 19.09.2020 and pass orders on merits and in accordance with law, as expeditiously as possible,



within a period of twelve (12) weeks from the date of receipt of a copy of this order and the said copy of the order shall also be communicated to the second respondent.

7. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

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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 District Collector,
Karur District, Karur.
2. The Revenue Divisional Officer,
Karur Division, Karur District.
3. The Tahsildar, Karur Taluk,
Karur District.
4. The Sub-Registrar,
Mela Karur Sub-Registrar Office,
Karur District.

+1 CC to SGP (SR-18537[F] dated 30/09/2020)

+1 CC to Mr.S. GOKULRAJ, Advocate (SR-18606[F] dated 30/09/2020)
W.P. (MD)No.8556 of 2020
29.09.2020

SVN(CO)

KM (12.10.2020) 3P 7C

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