



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.10.2020

CORAM:

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.14954 of 2020

(Through Video Conference)

WEB COPY

R.Chellam

... Petitioner

Vs.

1) The District Collector,
Sivagangai District.

2) The Rural Development Officer,
Sivagangai District.

3) The Tahsildar,
Illayangudi Taluk,
Sivagangai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the 3rd respondent vide his proceedings in Na.Kaa.A11/3754/2019 and quash the same and consequently directing the 3rd respondent to alter the place of death of my mother in her death certificate as Nenchathur instead of Kandani.

For Petitioner : Mr.M.Siddharthan

For Respondents : Mrs.V.P.M.Vaishnavi,
Government Advocate.

O R D E R

Mrs.V.P.M.Vaishnavi, learned Government Advocate accepts notice on behalf of the respondents. By consent of both sides, this writ petition is taken up for final disposal at the stage of admission itself.

2. This writ petition has been filed challenging the impugned proceedings of the third respondent dated 13.12.2019.

3. It is the case of the petitioner that his mother Meenal, died at the age of 70 years on 06.07.2010 at Nenchathur Village. According to him, he applied for the Death Certificate of his mother and the same was issued. However, in the Death Certificate, the place of death of the petitioner's mother Meenal has been wrongly disclosed as Kandani instead of Nenjathur. Therefore, he



of the place of death of the deceased Meenal from Kandani to Nenjathur. The third respondent, vide his impugned proceedings dated 13.12.2019 has rejected the request of the petitioner. Aggrieved by the same, this writ petition has been filed.

4. Learned counsel appearing for the petitioner drew the attention of this Court to the Death Certificate issued by the third respondent and submitted that even though the place of residence of the deceased Meenal is mentioned as 'Nenjathur', the place of death in the Death Certificate has been wrongly mentioned as 'Kandani'.

5. According to the learned counsel for the petitioner, the deceased Meenal never died at Kandani and she died only at Nenjathur. Under the impugned proceedings dated 13.12.2019 of the third respondent, no reasons has been given for rejection of the request made by the petitioner for correcting the place of death of the deceased Meenal. In such circumstances, this matter will have to be remanded back to the third respondent for fresh consideration of the petitioner's request for correcting the place of death of his mother Meenal in the Death Certificate from 'Kandani' to 'Nenjathur' on merits and in accordance with law.

6. For the forgoing reasons, the impugned proceedings dated 13.12.2019 of the third respondent is hereby quashed and the matter is remanded back to the third respondent for fresh consideration, who shall pass final orders on merits and in accordance with law after giving sufficient opportunity to the petitioner as well as to other legal heirs of the deceased Meenal within a period of three weeks from the date of receipt of a copy of this order.

7. With the aforesaid directions, this writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

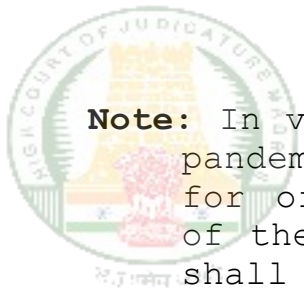
Assistant Registrar (CS-I)

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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.

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To:

- 1) The District Collector,
Sivagangai District.
- 2) The Rural Development Officer,
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- 3) The Tahsildar,
Illayangudi Taluk,
Sivagangai District.

Order made in
W.P. (MD)No.14954 of 2020
29.10.2020

ARK(CO)
KM (11.11.2020) 3P 4C