



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.12.2020**

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P(MD).No.17793 of 2020

S.Porchelvi

.. Petitioner

Vs.

1.The District Collector,
O/o. District Collector,Tirunelveli.

2.The Commissioner,
Tirunelveli Corporation,Tirunelveli.

3.The Assistant Commissioner,
Tirunelveli Corporation,Tirunelveli.

4.The Registrar (Birth and Death)
Tirunelveli Corporation Unit - 2
Tirunelveli.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the fourth respondent to consider the petitioner's representation dated 14.10.2020 to rectify the petitioner's name which was wrongly entered as S.Padma instead of S.Porchelvi in the petitioner's husband's Death Certificate dated 15.07.2020, within a stipulated time frame fixed by this Court.

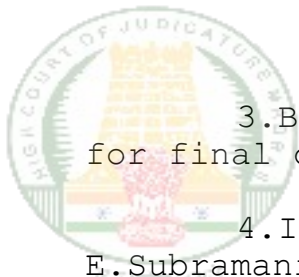
For Petitioner	:	Mr.S.Velrajan
For Respondents	:	Mr.A.Karthik for R1 Government Advocate Mr.Aayiram K.Selvakumar Standing Counsel for R2 to R4

ORDER

(This Matter was heard through the Video Conference)

This writ petition has been filed for a Mandamus seeking for a direction to the fourth respondent to consider the petitioner's representation dated 14.10.2020, seeking for rectification of the petitioner's name in the Death Certificate of her husband Mr.E.Subramanian, dated 15.07.2020.

2.Heard Mr.S.Velrajan, learned counsel appearing for the petitioner, Mr.A.Karthik, learned Government Advocate, who accepts notice on behalf of the first respondent and Mr.Aayiram K.Selvakumar, learned Standing Counsel, who accepts notice on behalf of the respondents 2 to 4.



3.By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4.It is the case of the petitioner, that her husband E.Subramanian, died on 10.04.2020. It is her case that she applied for Death certificate of her husband, who was working with Tamil Nadu Electricity Board and got superannuation on 28.02.2014. However, by mistake, the name of the petitioner has been wrongly mentioned as S.Padma in stead of S.Porchelvi in the Death Certificate of E.Subramanian, issued by the fourth respondent. Since the name was wrongly mentioned, the petitioner has given a representation on 14.10.2020, to the fourth respondent, requesting him to correct the same. However, it is the case of the petitioner that till date the said representation has not been considered by the fourth respondent on merits and in accordance with law. In such circumstances, this writ petition has been filed.

5.The learned counsel for the petitioner drew the attention of this Court to the Death Certificate as well as the Pension Payment Order in favour of E.Subramanian, the petitioner's husband, issued by the Tamil Nadu Electricity Board and would submit that in the Death Certificate, the name of the petitioner has been wrongly mentioned as S.Padma instead of S.Porchelvi, despite the Pension Payment Order, which discloses that the name of the wife of E.Subramanian is only S.Porchelvi and not S.Padma. No prejudice will be caused to the respondents, if the petitioner's representation seeking for rectification of the Death Certificate by incorporating the correct name of the petitioner is considered by them on merits and in accordance with law.

6.For the foregoing reasons, this Court directs the fourth respondent to consider the petitioner's representation dated 14.10.2020, seeking for rectification of the Death Certificate of her husband E.Subramanian, dated 15.07.2020, by incorporating the name of the wife of the deceased E.Subramanian as S.Porchelvi in place of S.Padma and pass final orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7.With the aforesaid direction, this writ petition is disposed of. No costs.

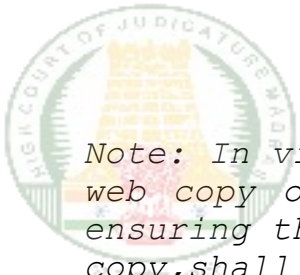
Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



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.

WEB COPY

To

- 1.The District Collector,
O/o. District Collector,Tirunelveli.
 - 2.The Commissioner,
Tirunelveli Corporation,Tirunelveli.
 - 3.The Assistant Commissioner,
Tirunelveli Corporation,Tirunelveli.
 - 4.The Registrar (Birth and Death)
Tirunelveli Corporation Unit - 2
Tirunelveli.
- +1 CC to M/s.GP (SR-24685[F] dated 09/12/2020)

**W.P (MD) .No.17793 of 2020
07.12.2020**

**TP (CO)
AP (16/12/2020) 3P 6C**