



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.12.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.18576 of 2020

(Through the Video Conferencing)

Vijayakumari

... Petitioner

Vs

1.The District Collector,
Kanyakumari District, At Nagercoil.

2.The Commissioner,
Nagercoil Municipality,
Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to issue a death certificate for the petitioner's mother Saraswathy W/o. Sundarapandian, died on 04.08.2012, by considering the petitioner's representation dated 14.08.2020.

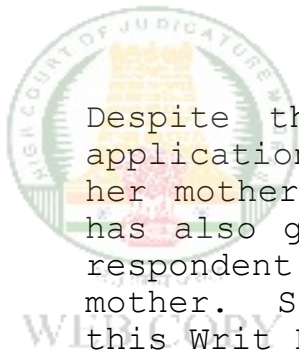
For Petitioner	: Mr.S.R.Sathan Boopathy
For R-1	: Mr.A.Muthukaruppan Additional Government Pleader
For R-2	: Mr.P.Athimoolapandian Standing Counsel

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the second respondent to issue a death certificate for the petitioner's mother Saraswathy W/o. Late.Sundarapandian, who allegedly died on 04.08.2012, by considering the petitioner's representation dated 14.08.2020.

2. Heard Mr.S.R.Sathan Boopathy, learned counsel for the petitioner, Mr.A.Muthukaruppan, learned Additional Government Pleader for the first respondent and Mr.P.Athimoolapandian, learned Standing counsel for the second respondent.

3. It is the case of the petitioner that on 18.07.2019, she submitted an application along with necessary particulars to the second respondent for issuance of death certificate for her mother Saraswathy, who died on 04.08.2012. It is the case of the petitioner that the second respondent directed the petitioner to get a report from the Village Administrative Officer of her Village, confirming the date of death of her mother Saraswathy. According to the petitioner, the Village Administrative Officer of her Village also conducted an enquiry and submitted his report on 19.12.2019 confirming the date of death of her mother Saraswathy as 04.08.2012.



Despite the same, according to the petitioner, till date, the application of the petitioner for issuance of death certificate of her mother has not been considered by the second respondent. She has also given a representation on 14.08.2020 reminding the second respondent about the non issuance of the death certificate for her mother. Since the same has also been not considered, she has filed this Writ Petition.

4. The relief sought for in this Writ Petition is an innocuous relief. No prejudice will be caused to the respondents, if the application of the petitioner seeking for issuance of death certificate for her mother Saraswathy, who allegedly died on 04.08.2012, is considered by the respondents, after holding proper enquiry and after hearing necessary parties including the petitioner.

5. For the foregoing reasons, this Court directs the second respondent to consider the petitioner's application dated 18.07.2019 seeking for issuance of death certificate for her mother Saraswathy, W/o Late.Sundarapandian, who allegedly died on 04.08.2012 and pass final orders on merits and in accordance with law, after hearing the petitioner as well as the other necessary parties and also after holding proper enquiry within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the aforesaid direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

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 District Collector,
Kanyakumari District, Nagercoil.

+1CC to M/s.SP1 GP,SR.No.26708 dated 21/12/2020

W.P. (MD)No.18576 of 2020
18.12.2020

DKS (CO)

KB(05.01.2021) 2P 3C

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