



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.08.2021

Coram

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

Writ Petition No. 16007 of 2021

Murali

.. Petitioner

Versus

1. The Commissioner
Greater Chennai Corporation
Rippon Building, First Floor
Raja Muthiah Road
Kannappar Thidal, Periyamet
Chennai - 600 003
2. The Zonal Health Officer
Greater Chennai Corporation
Department of Public Health
Birth and Death Section
Ripon Building
Raja Muthiah Road
Kannappar Thidal, Periyamet
Chennai - 600 003
3. The Zonal Welfare Officer
Greater Chennai Corporation
Department of Public Health
Birth and Death Section
Ripon Building
Raja Muthiah Road
Kannappar Thidal, Periyamet
Chennai - 600 003

.. Respondents

Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus directing the first respondent to consider the petitioner's representation dated 31.12.2020 and further direct the first respondent to issue the Death Certificate of the petitioner's mother named L.Savithri, who died on 11.08.2010.

For Petitioner : Ms. A.S. Neela Narayani

For Respondents : Mr. P. Manoj Kumar



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ORDER

The petitioner has filed this writ petition praying to issue a Writ of Mandamus directing the first respondent to consider his representation dated 31.12.2020 and to issue the Death Certificate to the petitioner's mother L.Savithri, who died on 11.08.2010.

2. According to the petitioner, his mother died on 11.08.2010 and she was cremated in the Electric Crematorium at Porur, Chennai on 12.08.2010. It is claimed by the petitioner that soon after the death of his mother, he submitted an application seeking to issue death certificate. In spite of repeated follow up, the petitioner could not get the death certificate. While so, on 15.05.2020, his father died for which he obtained the death certificate. It is claimed that in the death certificate dated 15.05.2020 issued to his father, the name of the wife (petitioner's mother) is prominently mentioned as Savithri. The petitioner also places reliance on the legal heir certificate dated 27.01.2021 in which the name of his mother was not included as one of the legal heirs inasmuch as she passed away long back. In effect, it is the contention of the petitioner that even after several representations sent to the respondents, he could not obtain the death certificate of his mother and therefore, he has come up with this writ petition.

3. Heard the counsel for the petitioner and the learned Standing counsel appearing for the respondents. For the death of the petitioner's mother on 11.08.2010, the petitioner claimed to have made several representations, but in the typed set of papers, a representation sent on 31.12.2020 alone is enclosed. Be that as it may, taking note of the nature of averments made in the affidavit filed in support of the writ petition and the relief sought for by the petitioner, this Court direct the respondents to take note of the averments made by the petitioner in his representation dated 31.12.2020, conduct an enquiry, afford an opportunity of hearing to the petitioner, thereafter, the respondents shall pass appropriate orders on merits and in accordance with law on the claim of the petitioner for issuance of death certificate for his mother Savithri, who died on 11.08.2010, within a period of four weeks from the date of receipt of a copy of this order. Accordingly, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar



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+1cc to M/s.A.S.Neela Narayani, Advocate, S.R.No.37894
+1cc to the Government Pleader, S.R.No.37725

WP No. 16007 of 2021

SSI(CO)
SB(27/08/2021)