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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2021

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.No.17975 of 2021

E.Murugan

...Petitioner

Vs.

1. The City Health Officer (I/C)
Ripon Buildings,
Greater Chennai Corporation,
Chennai - 600 003.

2. The Additional City Officer,
(Registrar of Birth and Deaths)
Regional Deputy Commissioner Officer (South)
(Public Health Department)
No.115, Dr.Muthulakshmi Salai,
(Division - 178, Zone - 13)
Adyar, Chennai - 600 020.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the Respondents to consider the petitioner's representation dated 18.06.2021 for correction of the petitioner's mother name as Manimegalai instead of Jayalakshmi in the petitioner's father death certificate.

For Petitioner : Mr.K.R.Krishnan

For Respondents : Mr.P.T.Ramadevi
Standing Counsel

O R D E R

This writ petition has been filed for issue of writ of mandamus directing the respondents to consider the representation made by the petitioner on 18.06.2021 wherein the petitioner has sought for the correction of his mother's name as C.Manimegalai instead of S.Jayalakshmi.

2.The case of the petitioner is that he was born to Eganathan and Manimegalai. According to the petitioner, his mother Manimegalai died on 23.11.2017 leaving behind the petitioner, his father, his brother and his sister. The further



case of the petitioner is that even in the Death Certificate, there is a specific mention that the name of the husband of the deceased Manimegalai is Eganathan and this Death Certificate was issued by the 2nd respondent.

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3.The father of the petitioner viz., Eganathan died on 11.04.2021. The petitioner had applied for a Death Certificate to the 2nd respondent. When the Death Certificate was issued by the 2nd respondent, it was found that the name of the mother of the petitioner was wrongly mentioned as Jayalakshmi instead of Manimegalai.

4.The petitioner therefore, made a representation to the respondents to rectify the mistake in the Death Certificate and issue a fresh Death Certificate by incorporating the correct name. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate direction.

5.The learned Standing Counsel appearing on behalf of the Corporation of Chennai submitted that the name was mentioned as Jayalakshmi in the Death Certificate only based on the application that was given by the petitioner and therefore, the mistake was not on the part of the respondents.

6.The learned counsel for the petitioner submitted that there are overwhelming materials like the Death Certificate of his mother, legal heir certificate of his mother, pension register of his father, Aadhar Card of his mother, patta that was issued in the name of his father and mother and also property tax receipts which will all clearly show that the name of the mother of the petitioner is Manimegalai, who is the wife of Eganathan.

7.In the considered view of this Court, the materials that have been placed before this Court clearly shows that the petitioner's mother's name is Manimegalai. Some mistake had crept in due to oversight and this has to be rectified.

8.In view of the above, there shall be a direction to the 2nd respondent to act upon the representation made by the petitioner on 18.06.2021 and rectify the name of the mother of the petitioner in the Death Certificate and mention the same as C.Manimegalai and issue a fresh Death Certificate. This process shall be completed by the 2nd respondent, within a period of three weeks from the date of receipt of copy of this order.



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9.This writ petition is disposed of with the above direction. No Costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The City Health Officer (I/C)
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Greater Chennai Corporation,
Chennai - 600 003.
2. The Additional City Officer,
(Registrar of Birth and Deaths)
Regional Deputy Commissioner Officer (South)
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+1cc to Mr.K.R.Krishnan, Advocate, S.R.No.43592
+1cc to M/s.P.T.Ramadevi, Advocate, S.R.No.43312

W.P.No.17975 of 2021

BR[co]
NSK 15/09/2021