



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2021

CORAM:

THE HON'BLE MRS. JUSTICE V. BHAVANI SUBBAROYAN

W.P.No.20575 of 2021

D.Lakshmi

... Petitioner

Versus

1. The District Collector,
Office of the District Collector,
Collectorate Complex,
Vellore District,
Vellore - 632 009.

2. The Revenue Divisional Officer,
Office of the District Collector,
Collectorate Complex,
Vellore District,
Vellore - 632 009.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 2nd respondent to register the death of the petitioner's mother S.Chinnammal wife of G.Duraisamy Reddiyar in his records under Section 13(3) of the Registration of Births and Deaths Act, 1969, by considering the petitioner's representation dated 18.08.2021 within a time frame fixed by this Court.

For Petitioner : Mr.P.Sankaranarayanan

For Respondents : Mr.V.Veluchamy
Government Advocate

ORDER

This writ petition has been filed seeking for a direction to the 2nd respondent to register the death of the petitioner's mother S.Chinnammal Wife of G.Duraisamy Reddiyar in his records under Section 13(3) of the Registration of Births and Deaths Act, 1969, by considering the petitioner's representation dated 18.08.2021 within a time frame fixed by this Court.



2. According to the petitioner, her deceased mother Chinnammal, D/o. Santha Gounder and Wife of Duraisamy Reddiyar was permanently residing at Vinayagar Koil Street, Ussoor Village, Vellore Taluk, now Anicut Taluk, Vellore District, Vellore - 632 105. Her mother was suffering from many ailments, died on 30.09.1982 and subsequently, her father also died on 20.01.2019 at the above said address. Thereafter, the deceased mother Chinnammal was not registered before the Civic Authorities by her father and she was also confirmed the same by verifying with the concerned Authorities who had issued a Non-Availability Certificate dated 28.07.2021. In order to register the petitioner's mother's death, the petitioner gave a representation dated 18.08.2021 to the 2nd respondent to register the same and for issuance of a death certificate as per Section 13(3) of the Tamil Nadu Registration of Births and Deaths Rules, 2000 [As Amended upto 30.11.2020] and the same was acknowledged by the 2nd respondent on 19.08.2021 and she has also paid necessary fees, but the respondent Officials have not taken any steps to issue a death certificate. The petitioner has no other alternative remedy except to approach this Court under Article 226 of the Constitution of India.

3. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the second respondent to consider the petitioner's representation dated 18.08.2021 and dispose of the same within a stipulated time that may be framed by this Court.

4. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, with a direction to the 2nd respondent to consider the petitioner's representation dated 18.08.2021 based on the G.O.(Ms).No.360, Health and Family Welfare (AB2) Department, dated 12.10.2017 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gba/msm



To

1. The District Collector,
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Collectorate Complex,
Vellore District,
Vellore - 632 009.

2. The Revenue Divisional Officer,
Office of the District Collector,
Collectorate Complex,
Vellore District,
Vellore - 632 009.

+1cc to Mr.P.Sankaranarayanan, Advocate, S.R.No.49909

+1cc to the Government Pleader, S.R.No.50084

W.P.No.20575 of 2021

VBM(CO)
CT 03/12/2021