



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:06.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.25894 OF 2021

R. Rama

...Petitioner

Vs

1. The Secretary,
Health and Family Welfare Department
Fort St.George,
Chennai-600 003.
2. The Commissioner,
Greater Chennai Corporation,
Ripon Buildings,
Chennai-600 003.
3. The Revenue Divisional Officer,
Chennai Central, Ambattur,
5-73, SH 112, Gandhi Nagar,
Anna Nagar West Extension,
Chennai-600 040.

....Respondents

PRAYER:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents to consider the petitioner's representation dated 19.10.2021 and through the 2nd and 3rd Respondents to issue a death certificate of the petitioner's father late P.K.Rathinam son of Krishnappa Udayar.

For petitioner : Mr. K.R. Pughazhendhi

For Respondents : Mr. C. Sangamithirai,
Special Government Pleader for R1
: Mr. P. Manoj Kumar,
Standing Counsel for R2 & R3.



ORDER

The petitioner has filed this Writ petition seeking issuance of a Writ of Mandamus directing the Respondents to consider the petitioner's representation dated 19.10.2021 and through the 2nd and 3rd Respondents to issue a death certificate of the petitioner's father late P.K.Rathinam S/o Krishnappa Udayar.

2. Mr. C. Sangamithirai, learned Special Government Pleader and Mr. P. Manoj Kumar, learned standing counsel takes notice for the Respondents. In view of the limited relief sought for in this petition and on the consent expressed by the Learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that her father Mr.Rathinam passed away on 22.02.2008 and subsequently, her mother Mrs. Mohanambal passed away on 13.07.2021. While being so, the petitioner had obtained the death certificate in respect of her deceased mother whereas the petitioner could not obtain the death certificate in respect of her deceased father. After the demise of her mother, the petitioner had approached the Tahsildar, to obtain legal heir certificate for the purpose of transferring the ownership of the properties which stands in the name of her deceased mother for which, the death certificate of her deceased father is required. Therefore, the petitioner had approached the Greater Chennai Corporation for obtaining the death certificate of her deceased father and the same was not issued due to the non availability of requisite details for issuing the said certificate. Aggrieved by the same, the petitioner sent a representation dated 19.10.2021 to the Respondents 2 & 3 along with relevant documents, however, till date no action has been on the said representation. Hence the present Writ Petition is filed seeking the above relief.

4. The learned counsel for the petitioner submits that despite the representation being made by the petitioner along with the requisite documents before the Respondents 2 & 3 for issuance of the death certificate of her deceased father, no action has been taken by the Respondents which resulted in the filing of the present Writ Petition.

5. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the Respondents 2 & 3 to consider the petitioner's representation and issue death certificate in respect of the petitioner's deceased father, within the time frame fixed by this Court.



6. The learned Special Government Pleader submits that the petitioner's representation dated 19.10.2021 will be considered and appropriate orders will be passed by the Respondents 2 & 3, within the time frame fixed by this Court.

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7. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the Respondents 2 & 3 to consider the petitioner's representation dated 19.10.2021 along with relevant documents and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order. Accordingly, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

NHS

To

1. The Secretary,
Health and Family Welfare Department
Fort St.George,
Chennai-600 003.
2. The Commissioner,
Greater Chennai Corporation,
Ripon Buildings,
Chennai-600 003.
3. The Revenue Divisional Officer,
Chennai Central, Ambattur,
5-73, SH 112, Gandhi Nagar,
Anna Nagar West Extension,
Chennai-600 040.

+1cc to Mr.A.Arunkumar, Advocate, S.R.No.63884
+1cc to Mr.K.R.Pughazhendhi, Advocate, S.R.No.63883
+1cc to the Government Pleader, S.R.No.64378

W.P.NO.25894 of 2021

PA (CO)
PM/28/12/2021