



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2021

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.15403 of 2021

Mari

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Tahsildar,
Taluk Office,
Thiruvadanai Taluk,
Ramanathapuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent herein to issue the Death Certificate for the petitioner's husband namely Ramanathan died in the month of October, 2020 at Oman Country, by considering the petitioner's representation dated 09.08.2021, in accordance with law, within the time stipulated by this Court.

For Petitioner : Mr.D.Balamurugapandi
For Respondents : Mr.P.Subbaraj
Counsel for State.

ORDER

The petitioner seeks a direction to the second respondent to issue a death certificate in relation to the death of her husband at Oman.

2.The petitioner states that her husband was a fisherman and that he had gone to Oman to undertake fishing. The petitioner states that she received information from Oman that her husband died. In spite of submitting a representation seeking the death certificate, it is stated that no action has been taken thereon.



3.Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of both the respondents. He produces a communication dated 17.08.2021 from the District Collector, Ramanathapuram to the Director, Commissionerate of Rehabilitation and Welfare of Non-Resident Tamils. The said communication calls upon the recipient to take up the petitioner's request through the relevant diplomatic channel for the early issuance of a death certificate.

4.The death of the petitioner's husband is said to have occurred in Oman. Consequently, it would be necessary to first ascertain through the Indian Embassy in Oman as to whether the petitioner's husband died in Oman and, if so, the date and cause of death. Only upon receipt of such information, can the petitioner's request be acted upon. The communication dated 17.08.2021 indicates that the aforesaid process has been set in motion. However, it is necessary that such process be concluded within a reasonable time frame.

5.Accordingly, the respondents are directed to take necessary steps on the basis of the petitioner's representation dated 09.08.2021 and complete the entire exercise in accordance with law within a period of six (6) months from the date of receipt of a copy of this order. While considering and disposing of the petitioner's representation, a reasonable opportunity may be provided to the petitioner.

6.W.P.(MD).No.15403 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Tahsildar,
Taluk Office,
Thiruvadanai Taluk,
Ramanathapuram District.

+1 CC to M/s.D.BALAMURUGAPANDI, Advocate (SR-27784[F] dated
01/09/2021)

+1 CC to M/s.GP (SR-27752[F] dated 01/09/2021)

W.P (MD) No.15403 of 2021
31.08.2021

MGJ(08.09.2021) 3P 5C