



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.7766 of 2022

J. Vasantha

...Petitioner

..Vs..

1. The Resident Medical Officer
Government Stanley Hospital
Old Jail Road, George Town,
Chennai 600 001.

2. The Commissioner
Greater Chennai Corporation
Chennai 600 003

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus or any other appropriate Writ, Order or direction, directing the first respondent herein to dispose of the representation of the petitioner dated 16.12.2021 made to the first respondent herein on merits within the time stipulated by this Hon'ble Court and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

For Petitioner : Ms. C. Divya
for Mr. C. Sivanesan

For R1 : Mr. T. Seenivasan
Special Government Pleader.

For R2 : Ms. P.T. Ramadevi, Senior Counsel

ORDER

This Writ Petition has been filed for a mandamus seeking for a direction to the first respondent to consider the representation dated 16.12.2021 requesting the respondents to correct the name of the wife of the deceased Janarthanan.M. as J.Vasantha (petitioner) in place of Suguna, who according to the petitioner is not the legally wedded wife, and pass final orders within a time frame to be fixed by this Court.



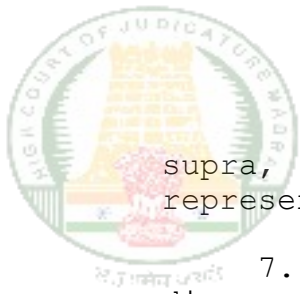
2. The petitioner claims that she is the legally wedded wife of the deceased Janarthanan,M, who died on 31.10.2021. According to her, the name of the wife of the deceased Janarthanan.M is wrongly mentioned as Suguna in the death certificate issued for Janarthanan.M. According to the petitioner, Suguna is not the legally wedded wife , but, it is only the petitioner, who is the legally wedded wife of Janarthanan.M. The petitioner seeks for correction of the death certificate. She has given a representation for the said purpose to the first respondent on 16.12.2021. Since the representation has not been considered till date, she has filed this Writ Petition.

3. Heard Ms. C. Divya, learned counsel for the petitioner, Mr.T.Seenivasan, learned Special Government Pleader appearing for the first respondent and Mrs.P.T. Ramadevi, learned Senior Counsel appearing for the second respondent.

4. The petitioner has filed documents along with this Writ Petition, which include the wedding photographs, wedding Invitation card, gas payment receipts, etc., to show that she is the wife of the deceased Janarthanan.M. It is for the respondents to consider those documents and decide as to whether the petitioner is the legally wedded wife or not.

5. No prejudice would be caused to the respondents if the petitioner's representation is considered on merits and in accordance with law after affording a fair hearing to the petitioner and Suguna, whose name has been mentioned in the death certificate of Janarthanan.M as his wife. However, the petitioner will have to give the address details of Suguna to the respondents to enable them to hold an enquiry.

6. For the foregoing reasons, this court directs the petitioner to give the address details of Suguna, who has been declared to be the wife of Janarthanan.M in the death certificate, to the respondents within a period of two weeks from the date of receipt of a copy of this order and on receipt of the said information from the petitioner, the first respondent shall pass final orders on the petitioner's representation dated 16.12.2021, requesting for correction of the Death Certificate of the deceased Janarthanan.M by incorporating her name as the wife of the deceased Janarthanan.M in place of Suguna, and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner and Suguna, including granting them the right of personal hearing within a period of 12 weeks thereafter. It is made clear that if the petitioner does not furnish the correct address of Suguna within the stipulated period as stated



supra, the respondents need not consider the petitioner's representation.

7. With the aforesaid directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-CCC)

//True copy//

Sub Assistant Registrar

bga

To

1. The Resident Medical Officer
Government Stanley Hospital
Old Jail Road, George Town,
Chennai 600 001.

2. The Commissioner
Greater Chennai Corporation
Chennai 600 003

+1cc to Ms. P.T. Ramadevi, Advocate SR.No.33495

+1cc to Mr.M.Baskaran, Advocate SR.No.33862

+1cc to Government Pleader SR.No.34580

W.P.No.7766 of 2022

KJ(CO)
GMY(23/06/2022)