



WEB COPY



W.P.No.11917 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.07.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.11917 of 2022

P.Vanitha

.. Petitioner

Vs.

1.Rajiv Gandhi Govt. General Hospital,
Rep. by Dean,
P.H. Road, Park Town,
Chennai – 600 003.

2.The Commissioner,
Greater Chennai Corporation,
Department of Public Health,
Ripon Building, Chennai – 600 003.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, to direct respondents to rectify the mistake of the petitioner's name in her husband's Death Certificate No.D54584613704084982/2021 dated 22.11.2021 as per petitioner's request letter dated 14.03.2022 with proofs.

For Petitioner : Mr.K.Gajendiran

For Respondents : Mr.S.J. Mohammed Sathik
Government Advocate [R1]
M/s.P.T. Ramadevi
Standing Counsel [R2]



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ORDER

This Writ Petition has been filed for a mandamus seeking for a direction to the respondents to rectify the mistake of the petitioner's name in her husband's Death Certificate dated 22.11.2021 based on the petitioner's representation dated 14.03.2022.

2. According to the petitioner, her husband V.Palani died on 08.11.2021 and a death certificate has also been issued by the second respondent. However, according to the petitioner, her name has been wrongly disclosed as Gunavathi though her correct name is P.Vanitha. The petitioner claims to be the wife of the deceased. The petitioner has filed documents along with this Writ Petition which includes Aadhar Card and Family Ration Card where the name of the petitioner has been disclosed as P.Vanitha and her husband's name has been mentioned as Palani (deceased). In such circumstances, the petitioner seeks for rectification of her name in the death certificate of her deceased husband Palani.

3. A counter-affidavit has been filed by the first respondent stating that based on the petitioner's representation, proceedings dated 22.02.2022



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has already been initiated but when the petitioner was called for enquiry, she failed to turn up.

4. The learned counsel for the petitioner submits that the petitioner is always willing to participate in the enquiry proceedings initiated based on her representation, seeking for rectification of her name in the death certificate of her deceased husband Palani. The said statement is recorded.

5. No prejudice will be caused to the respondents if the petitioner is heard in the enquiry proceedings and thereafter, after giving due consideration to the petitioner's request as well as the documentary evidence produced by her to the first respondent, shall pass final orders on the petitioner's representation.

6. For the foregoing reasons, this Court directs the petitioner to appear in person before the Dean of the first respondent/Hospital on 28.07.2022 and the Dean of the first respondent/Hospital after holding enquiry and after giving due consideration to the documents produced by the petitioner, shall pass final orders on the petitioner's representation



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dated 14.03.2022, requesting for rectification of her name in the death certificate of her deceased husband Palani, on merits and in accordance with law, after affording a fair hearing to the petitioner including, granting her the right of personal hearing, within a period of four (4) weeks from the date of enquiry. Once final orders are passed by the first respondent (Dean) and if found that the death certificate has to be rectified, the second respondent shall issue the rectified death certificate to the petitioner, within a period of two (2) weeks thereafter.

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

05.07.2022

Speaking/Non-speaking order
Index: Yes/No
Internet: Yes/No

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Note : Issue Order Copy on 07.07.2022



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To

1. Dean,
Rajiv Gandhi Govt. General Hospital,
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2. The Commissioner,
Greater Chennai Corporation,
Department of Public Health,
Ripon Building, Chennai – 600 003.



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ABDUL QUDDHOSE,J.

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