



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.4530 of 2022

P.Malaikannu

... Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Sivagangai District.

2.The Dean,
Government Medical College Hospital,
Sivagangai,
Sivagangai District.

3.The Births and Deaths Registrar,
Office of the Births and Deaths Registrar,
The Government Medical College Hospital,
Sivagangai District.

4.The Tahsildar,
Office of the Tahsildar,
Ilayangudi Taluk,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to take necessary action to issue death certificate of the petitioner's wife late.Muthurakku wife of P.Malaikannu in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.S.Malaikani

For Respondents : Mr.B.Saravanan

Additional Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to take necessary action to issue death certificate of late.Muthurakku wife of the petitioner P.Malaikannu, within a time frame to be fixed by this Court.

2.The petitioner applied for death certificate for his wife who died on 30.06.2019 at Government Medical College Hospital,
<https://hcservices.ecourts.gov.in/hcservices/>



Sivagangai. Since the said application has not been considered till date, the petitioner has filed this writ petition.

3. Heard Mr.S.Malaikani, learned Counsel appearing for the petitioner and Mr.B.Saravanan, learned Additional Government Pleader who accepts notice on behalf of the respondents.

4. On instructions, learned Additional Government Pleader appearing for the respondents would submit that the petitioner ought to have applied for the death certificate for his late wife Muthurakku with the Tahsildar, Sivagangai District, but he has applied with the Tahsildar, Ilayangudi. Unless an application is made before the appropriate authority, the said application cannot be processed. The said statement is recorded.

5. For the said submission, learned Counsel for the petitioner submits on instructions that the petitioner is willing to apply afresh for the death certificate for his late wife Muthurakku with the Tahsildar, Sivagangai District. The said statement is also recorded.

6. Accordingly, this Court directs the petitioner to submit a fresh application seeking for issuance of death certificate for his late wife Muthurakku who died on 30.06.2019 before the Tahsildar, Sivagangai, within a period of one [1] week from the date of receipt of a copy of this order. On receipt of the same application, the Tahsildar, Sivagangai is directed to pass final orders on the same within a period of four [4] weeks thereafter.

7. Registry, is directed to mark a copy to the Tahsildar, Sivagangai District.

8. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(P & A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

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,
Office of the District Collector,
Sivagangai District.
- 2.The Dean,
Government Medical College Hospital,
Sivagangai,
Sivagangai District.
- 3.The Births and Deaths Registrar,
Office of the Births and Deaths Registrar,
The Government Medical College Hospital,
Sivagangai District.
- 4.The Tahsildar,
Office of the Tahsildar,
Ilayangudi Taluk,
Sivagangai District.
- 5.The Tahsildar,
Sivagangai District.

+1 CC to M/s.S.MALAIKANI, Advocate (SR-12097[F] dated 15/03/2022)

+1 CC to M/s.SPL GP (SR-12499[F] dated 16/03/2022)

ORDER MADE IN
W.P. [MD]No.4530 of 2022
15.03.2022

ss (CO)

TR(28.03.2022) 3P 8C