



W.P.(MD)No.10930 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.10930 of 2022

and

W.M.P(MD)No.7877 of 2022

B.Jenifer

... Petitioner

Vs

The Commissioner,
Office of the Melur Municipality,
Thiruvavatavur Road,
Melur,
Madurai District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondent to register the death of the petitioner's husband Viz., Bavabahrudeen died on 11.08.2021 and issue death certificate thereon considering the petitioner's representation, dated 11.02.2022 within the time that may be stipulated by this Court.

For Petitioner : Mr.H.Jasima Yasmin
for M/s.Ajmal Associates

For Respondent : Mr.A.Pandiarajan
Standing Counsel



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ORDER

Heard the learned counsel on either side.

2. The petitioner's husband committed suicide on 11.08.2021. In this regard, Crime No.518 of 2022 has been registered on the file of Melur Police Station, Madurai. The petitioner's father-in-law - Musthafa is the defacto complainant in the said case. The petitioner wants the respondent to issue death certificate.

3. The learned counsel appearing for the respondent states that unless the jurisdictional Investigation Officer makes the requisition, it is not possible to give the death certificate as sought for. I am not persuaded by the said objection raised by the learned counsel. The fact remains that the petitioner's husband had died. It is true that it is an unnatural and suspicious death. The respondent is not going to certify the cause of death. He is only going to state that the petitioner's husband had passed away.

4. Therefore, there cannot be any impediment for granting the death certificate as sought for. The respondent is directed to issue death certificate to the petitioner as prayed for.



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5. This writ petition is allowed. Consequently, connected miscellaneous petition is closed. No costs.

15.07.2022

Index : Yes / No
Internet : Yes/ No
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To

The Commissioner,
Office of the Melur Municipality,
Thiruvataavur Road,
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G.R.SWAMINATHAN, J.

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