



WEB COPY



W.P.No.10593 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2023

CORAM : JUSTICE N.SESHASAYEE

W.P.No.10593 of 2022

S.Ramachandran

... Petitioner

Vs

1.The District Collector
Thiruvannamalai District
Thiruvannamalai.

2.The Revenue Divisional Officer
Revenue Divisional Office
Cheyyar Taluk
Tiruvannamalai District.

3.The Tahsildhar
Tahsildhar Office
Vempakkam Taluk
Tiruvannamalai District.

.... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the proceedings of the second respondent passed in Na.Ka.No.AA4/4907/2019 and O.M.U. No.AA4/4907/2019 on 09.02.2021 and 03.09.2021 and quash the same and direct the first respondent herein to consider and to dispose the appeal dated 08.12.2021 filed by the petitioner to quash the rejection order passed by the second respondent dated 09.02.2021 and 03.09.2021 and to conduct independent enquiry.



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For Petitioner : Mr.L.Muthusamy

For Respondents : Mr.M.Bindran
Additional Government Pleader [R1 - R3]

ORDER

The petitioner has applied for a death certificate of his mother Logammal, who is stated to have died on 04.04.1984 at her residence in Thatchu Street, Sithathur Village, Vempakkam Taluk in Thiruvannamalai District. Her death has not been registered. The petitioner had therefore approached the Revenue Divisional Officer for registering the death of his mother. This was rejected by the Revenue Divisional Officer vide his proceedings dated 09.02.2021. This is under challenge.

2. In his proceedings, the RDO, the second respondent has recorded that as per his enquiry, after the demise of petitioner's father, the petitioner's mother left the village for want of any care from her children.

3. The petitioner however had brought to the notice of the Court, the communication dated 30.08.2019 addressed by as many as ten villagers to the Revenue Divisional Officer, wherein they have stated that the petitioner



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had left the village for his livelihood, and that the petitioner's mother Logammal had passed away in her residence on 04.04.1984, and that she was buried by the villagers.

4. The proceedings of the Revenue Divisional Officer does not make any reference to this particular communication addressed to his office by the villagers on 30.08.2019.

5. This Court, therefore is now constrained to set aside the proceedings of the Revenue Divisional Officer dated 09.02.2021, remands the matter back for denovo enquiry based on the communication dated 30.08.2019 addressed to his office by the villagers, and take a fresh decision on the same, after giving the petitioner a due opportunity of being heard.

6. To conclude, this writ petition stands allowed. No costs.

08.08.2023

Index : Yes / No

Speaking order / Non-speaking order
ds



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N.SESHASAYEE.J.,

ds

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