



W.P.No.4059 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2023

CORAM

THE HONOURABLE Mr.JUSTICE C.V.KARTHIKEYAN

W.P.No.4059 of 2023

R.Sampath

... Petitioner

Vs.

1.The Registrar,
Birth and Death Registration Section,
Pennathur Town Panchayat,
Pennathur,
Vellore District.

2.The Revenue Divisional Officer,
Vellore.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent to correct the petitioner's mother name in her Death Certificate as INIMA instead of PAKIYAM based on the petitioner's representation dated 19.05.2022.

For Petitioner : Mr.T.Saravanan

For Respondents : Mr.U.Baranidharan
Additional Government Pleader



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ORDER

WEB COPY In view of the representation made by the learned Additional Government Pleader for the respondents, it is seen that the Revenue Divisional Officer is also a necessary party in this Writ Petition. Therefore, *suo moto* the Revenue Divisional Officer, Vellore, is impleaded as the 2nd respondent in this Writ Petition. Before issuing the order copy, the Registry may carry out necessary amendment in the Writ Petition.

2.The mother of the petitioner was called Inima. She also had another name Pakiyam. She died on 06.10.2019. In the Death Certificate, her name has been given as Pakiyam. The writ petitioner placed a representation before the first respondent/Registrar, Birth and Death Registration Section, Pennathur Town Panchayat, Pennathur, Vellore District, to change the name in the Death Certificate from Pakiyam to Inima. This was rejected. Therefore, this Writ Petition has been filed.

3.The learned Additional Government Pleader on instructions stated that the petitioner should first give a representation to the Revenue Divisional Officer, Vellore, who has to conduct an enquiry. In this regard, while



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conducting an enquiry, the Revenue Divisional Officer may call for the report from the Village Administrative Officer. The Village Administrative Officer has given a report that both Inima and Pakiyam refer to the same person.

4.The petitioner may first give a representation to the Revenue Divisional Officer. On receipt of such representation, the Revenue Divisional Officer has to conduct an enquiry by issuing notice to the petitioner and also calling for the records from the Village Administrative Officer, Pennathur, and thereafter must come to subjective satisfaction whether Inima and Pakiyam refers to the same person. If it is so, then necessary instructions may be issued for making necessary corrections in the said Death Certificate. The said procedure should be made on the representation given by the petitioner. The exercise should be completed within a period of eight weeks from the date of receipt of a representation from the petitioner.

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

24.02.2023

Index :Yes/No
Speaking/Non speaking order
mps



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C.V.KARTHIKEYAN, J,

mps

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