



W.P.Nos.12354 & 12355 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 24.04.2023

C O R A M

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.Nos.12354 & 12355 of 2023

H.Abdul Rahim

... Petitioner
(in both petitions)

Vs

1. The District Collector,
Collectorate Office,
Chennai.
- 2.The Revenue Divisional Officer,
Anna Nagar West,
Chennai.
3. The Tahsildar,
Amjikarai,
Chennai.
- 4.The Registrar of Birth and Death,
Zone-8,
Greater Chennai Corporation Zonal Office,
Chennai.

... Respondents
(in both petitions)



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PRAYER in W.P.No.12354 of 2023: Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus or any other order appropriate writ or directions, directing the respondents to consider the petitioner's application dated 17.12.2020 and consequently, direct the respondents to issue a death certificate of the petitioner's brother Late.Mohammed Ibrahim S/o.Mohammed Hussain died on 20.12.2015.

PRAYER in W.P.No.12355 of 2023: Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus or any other order appropriate writ or directions, directing the respondents to consider the petitioner's application dated 17.12.2020 and consequently, direct the respondents to issue a death certificate of the petitioner's sister-in-law Late.M.Kathiya Beevi W/o Late. Mohammed Ibrahim died on 14.12.2011.

For Petitioner
(in both petitions) ... M/s.Reshmi Christy

For Respondents
(in both petitions) ... Mr.E.Veda Bagath Singh,
Special Government Pleader R1 to R3.

... Ms. Aswini Devi for R4.



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COMMON ORDER

Since, the issue involved in both Writ Petitions are one and the same, both petitions are taken up for final disposal by way of a common order.

2. This Writ Petition in W.P.No.12354 of 2023 has been filed for a direction to the respondents to consider the petitioner's application dated 17.12.2020 seeking issuance of the death certificate in respect of the petitioner's brother namely Late.Mohammed Ibrahim.

3. This Writ Petition in W.P.No.12355 of 2023 has been filed for a direction to the respondents to consider the petitioner's application dated 17.12.2020 seeking issuance of the death certificate in respect of the petitioner's sister-in-law namely Late.M.Kathiya Beevi.

4. Mr.E.Veda Bagath Singh, learned Special Government Pleader takes notice for Respondents 1 to 3 and Ms.Aswini Devi, learned counsel takes notice for the 4th respondent.



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5. The case of the petitioner is that the petitioner's brother and his wife died on 14.12.2011 and 20.12.2015 respectively. After their demise, he has submitted the application along with necessary documents before the 2nd respondent for issuance of death certificate in respect of the deceased persons. Upon receipt of the application, the 2nd respondent directed the 3rd respondent and the 4th respondent to conduct enquiry and submit the report. Since the respondents 3 & 4 have not initiated any steps to conduct the enquiry, the petitioner has approached this Court seeking a direction to the respondents to consider the petitioner's application dated 17.12.2020 for issuance of death certificate in respect of his deceased brother and his wife.

6. Though very many grounds have been raised, the learned counsel for the petitioner submits that it would suffice if this Court issues a direction to the respondents to consider the petitioner's representation made on 17.12.2020 seeking for issuance of death certificate within the time that may be stipulated by this Court.

7. On the above contention, this Court heard the learned Special Government Pleader appearing for the respondents 1 to 3.



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8. In view of the limited relief sought for by the petitioner, this Court without expressing any opinion on the merits of the case, directs the 3rd respondent herein to consider the petitioner's representation dated 17.12.2020 made seeking issuance of death certificate in respect of the petitioner's deceased brother and his wife and pass appropriate orders on merits within a period of four weeks from the date of receipt of a copy of this order.

9. These Writ Petitions are disposed of with the aforesaid direction. There shall be no order as to costs.

24.04.2023

NHS

Index: Yes/No

Internet: Yes



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M.DHANDAPANI, J

NHS

To

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