



WEB COPY



W.P.No.14116 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.14116 of 2021

B.Pachaiyappan

... Petitioner

Vs.

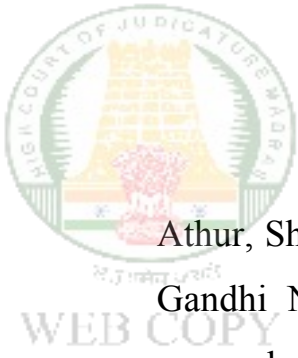
1.The Senior Medical Record Officer
Rajiv Gandhi Government General Hospital
Chennai 600 003

2.The Registrar of Births and Death
Greater Chennai Corporation
Rippon Building
Chennai

3.B.Anusuya

... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, calling for the records of the impugned order dated 27.01.2020 with reference No.O.Mu.00903/MRD/2020 issued by the 1st respondent and quash the same and consequently direct the 1st and 2nd respondents to carry out amendments in their records to add the petitioner's mother name "Mrs.B.Kamatchi" as wife of the petitioner's father Lae N.Balakrishnan instead of "B.Anusurya" and also to add "2/54, Barathiyar street,



W.P.No.14116 of 2021

Athur, Sholavaram, Thiruvallur, PIN: 600067" instead of "No.195/239, A Block, Gandhi Nagar, Pallavan Salai, Chennai 600 002 and further direct the 2nd respondent to issue a fresh death certificate with the amended details.

For Petitioner : Mr.S.M.Muralidharan

For Respondents : Mr.G.Ameedius
Government Advocate - R1

Mrs.P.T.Ramadevi - R2
Mr.A.R.Suresh - R3

ORDER

The petitioner claims that in the death certificate of his father Balakrishnan, the 3rd respondent's name is wrongly given as his wife, whereas it is his mother Kamatchi who is the wife of his father. The petitioner has therefore approached the 1st respondent for rectifying the death certificate but it was rejected.

2. Mr.G.Ameedius, the learned Government Advocate has taken notice for the 1st respondent. Mrs.P.T.Ramadevi, the learned standing counsel has taken notice for the 2nd respondent.



W.P.No.14116 of 2021

3.This Court perused the impugned communication of the 1st respondent dated 27.02.2020, wherein the 1st respondent has recorded that the correction cannot be made as required.

4.The 1st respondent is the Senior Medical Record Officer of Rajiv Gandhi Government General Hospital, Chennai. This authority merely intimates the death to the local body but it is the local body, namely the 2nd respondent, which records the death in the death register. Therefore, the petitioner is now required to approach the 2nd respondent with necessary application / representation for rectification of any entry in the death certificate.

5.As and when the petitioner files his representation before the 2nd respondent for the said purpose, the 2nd respondent is required to hold an enquiry after hearing all parties who are likely to be affected by his decision. It is however made clear that the entry in the death register is relevant only for the purpose of the date of death of an individual, and any reference to any relation to the dead person is not conclusive. With regard to that, the petitioner necessarily had to take such necessary legal proceedings.



WEB COPY



W.P.No.14116 of 2021

N.SESHASAYEE, J.

kas

6.This Writ Petition stands disposed of accordingly. No costs.

04.08.2023

kas

Index : Yes / No

Neutral citation : yes/no

To

1.The Senior Medical Record Officer
Rajiv Gandhi Government General Hospital
Chennai 600 003

2.The Registrar of Births and Death
Greater Chennai Corporation
Rippon Building
Chennai

W.P.No.14116 of 2021