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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.17374 of 2023

T.Kalaiarasi

Petitioner

VS.

1.The District Collector,
Namakkal District,
Namakkal.

2.The Commissioner,
Thiruchengode Municipality,
Thiruchengode,
Namakkal District.

3.The Tahsildar,
Paramathi Velur Taluk Office,
Paramathi Velur,
Namakkal District.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to issue Death Certificate to the petitioner's Father-in-law namely Rangasamy Goundar (Late). In view of the petitioner's representation dated 05.04.2023, who passed away on 19.02.1965 at Nagappalaiyam Pirivu, K.Ayyampalayam Post, Paramathivelur Taluk, Namakkal District.

For Petitioner : Mr.R.Naresh Kumar

For Respondents : Mr.A.M.Ayyathurai
Government Advocate

**ORDER**

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This writ petition has been filed for issue of writ of mandamus directing the respondents to issue Death Certificate to the petitioner's father-in-law based on the representation made by the petitioner on 05.04.2023.

2.Heard Mr.R.Naresh Kumar, learned counsel appearing on behalf of the petitioners and Mr.A.M.Ayyathurai, learned Government Advocate appearing on behalf of the respondents.

3.The case of the petitioner is that her father-in-law passed away on 19.02.1965. The petitioner also lost her husband in the year 2019. The petitioner wanted to deal with the property and at that point of time, the Death Certificate of her father-in-law was insisted. Hence, the petitioner made a representation to the 2nd respondent in this regard. Since the same did not evoke any response, the present writ petition has been filed before this Court seeking for appropriate directions.

4.The Death Certificate is issued in accordance with the provisions of the Registration of Births and Deaths Act, 1969 read with the Tamil Nadu Registration of the Births and Deaths Rules, 2000. Such a certificate is issued based on an application submitted before the appropriate authority who will conduct an enquiry and issue the certificate. Hence, the petitioner has to make an appropriate application



before the concerned authority under the relevant Act and Rules and it cannot be obtained by merely making a representation before the Commissioner of the Municipality.

5. In the light of the above discussion, it is left open to the petitioner to submit a fresh application before the appropriate authority under the relevant Act. As and when such application is submitted, the appropriate authority shall deal with the same in accordance with law and take a decision, as expeditiously as possible.

6. This writ petition is disposed of in the above terms. No Costs.

12.06.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
ssr

To

1. The District Collector,
Namakkal District,
Namakkal.

2. The Commissioner,
Thiruchengode Municipality,
Thiruchengode,
Namakkal District.



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N. ANAND VENKATESH, J.

ssr

3.The Tahsildar,
Paramathi Velur Taluk Office,
Paramathi Velur,
Namakkal District.

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