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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.17609 of 2023

M.Solaiyammal

Petitioner

vs.

1.The Commissioner,
Greater Chennai Corporation,
Ripon Buildings, No.1131,
EVR Periyar Salai, Park Town,
Chennai – 600 003.

2.The Assistant Health Officer,
Zone-4,
Greater Chennai Corporation,
Tondayarpuram, Chennai – 600 021.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to change petitioner husband's father's name as Thangaraj in the Death Certificate, which was issued by the Respondents and considering the Petitioner's representation dated 24.01.2023 on merits and in accordance with law.

For Petitioner : Mr.N.Vijayakumar for
Ms.N.Vinothini

For Respondents : Mrs.P.T.Ramadevi
Standing Counsel

**ORDER**

This writ petition has been filed for issue of writ of mandamus directing the respondents to incorporate the correct name of the father-in-law of the petitioner in the Death Certificate issued in the name of the husband of the petitioner based on the representation made by the petitioner on 24.01.2023.

2.Heard Mr.N.Vijayakumar, learned counsel appearing on behalf of the petitioner and Mrs.P.T.Ramadevi, learned Government Advocate appearing on behalf of the respondents.

3.The case of the petitioner is that the authorities while granting Death Certificate of the husband of the petitioner on 17.08.2022, had by oversight mentioned the name of the father-in-law as Kanagaraj instead of Thangaraj. The petitioner therefore made a representation seeking for rectification and for incorporating the correct name of the father-in-law of the petitioner in the Death Certificate.

4.On receipt of the representation, the 2nd respondent issued a letter dated 15.04.2023, calling upon the petitioner to submit certain documents.



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5. The learned counsel for the petitioner submitted that the petitioner is having the Aadhar Card of her husband which shows that the name of his father is Thangaraj. That apart, the petitioner is also having the wedding invitation wherein, the name of the father-in-law has been mentioned as Thangaraj. That apart, the petitioner also has the Settlement Deed executed by her mother-in-law in favour of her children, wherein, the name of Thangaraj has been mentioned. That apart, the petitioner also has a Legal heir Certificate of her mother-in-law which also reflects that the name of her father-in-law is Thangaraj. The learned counsel for the petitioner submitted that the respondents may be directed to consider these documents and rectify the Death Certificate by incorporating the name of the father-in-law as Thangaraj instead of Kanagaraj.

6. In the considered view of this Court, there are sufficient documents to enable the 2nd respondent to act upon the representation made by the petitioner. Hence, there shall be a direction to the 2nd respondent to deal with the application submitted by the petitioner and issue a Death Certificate by incorporating the name of the father of K. Mani as Thangaraj instead of Kanagaraj. This process shall be completed by the 2nd respondent, within a period of four weeks from the date of receipt of copy of this order.



N. ANAND VENKATESH, J.

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

14.06.2023

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

To

- 1.The Commissioner,
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