



WEB COPY



W.P.No.20838 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2023

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

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S.Balamurugan

... Petitioner

VS.

- 1.The Commissioner
Greater Chennai Corporation
Ripon Building Campus,
Chennai-600 003.
- 2.The Deputy Director (Public Health)
Greater Chennai Corporation,
T.H. Road,
Tondiarpet Chennai-600 021.
- 3.The Zonal Officer – (Zone IV)
Greater Chennai Corporation,
T.H. Road,
Tondiarpet, Chennai-600 021.
- 4.The City Health Officer,
Greater Chennai Corporation,
T.H. Road, Tondiarpet, Chennai -600 021.
- 5.The In-charge (Burial Ground)
Washermenpet Hindu Burial Ground
Corporation of Chennai
Washermenpet,
Chennai – 600 021.



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6.The Health Inspector Zone – IV
Greater Chennai Corporation
Chennai-600 021.

... Respondents

PRAYER: Writ Petition is filed Under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 4th and 6th respondent to consider the representation dated 06.10.2022 and also to issue death certificate in the name of actual deceased person Mr.Senthiappan.

For Petitioner : Mr.B.Krishnan

For Respondents : Mr.A.C.Mani Bharathi
Standing Counsel

ORDER

The petitioner herein seeks a direction to the respondents 4 and 6 to consider his representation dated 06.10.2022 and to issue Death Certificate in the name of his father Senthiappan.

2. According to the petitioner, his father died on 19.06.2004 and the same was registered with the 1st respondent/Corporation. The 4th respondent issued Death Certificate on 03.10.2022 with Registration



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No.COC/2004/01/010/000091/0. It is the case of the petitioner that the 4th respondent while issuing Death Certificate mistakenly mentioned the name of father of the deceased as deceased person and the name of the deceased was mentioned as father of the deceased. The said discrepancy came to the knowledge of the petitioner now only. Therefore, he made a representation dated 06.10.2022 to the 6th respondent seeking correction of the entry of the Register of Death.

3. Under Section 15 of the Registration of Births and Deaths Act, 1969, the Registrar designated under the Act can make corrections in the Register of Death, if he is satisfied that the entry made in the Register of Death is erroneous in form or substance.

4. In support of his contention, the learned counsel for the petitioner produced the report furnished by the person In-charge of the burial ground of the 1st respondent-Corporation, wherein the name of the deceased is correctly mentioned as Senthappan and the father of the deceased person is mentioned as Chinnamani.



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5. Mr.A.C.Mani Bharathi, learned Standing Counsel takes notice for the respondents and submits that the 4th respondent is the Officer designated as Registrar under the relevant Act.

6. Therefore, I am inclined to issue a direction to the petitioner to submit a fresh representation along with all supporting materials before the Competent Authority/the 4th respondent herein within a period of two weeks from the date of receipt of copy of this order. The 4th respondent is directed to consider the representation of the petitioner and pass necessary orders on merits and in accordance with law, within a period of six weeks from the date of receipt of such representation.

7. With the above directions, the writ petition is disposed of. No costs.

14.07.2023

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm



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S.SOUNTHAR, J.

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