



W.P(MD)No.4860 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.4860 of 2023

Vellaiyan.K

... Petitioner

Vs

1. The District Collector,
Collectorate Campus, Dindigul District.
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Spencer Compound, Dindigul District.
3. The Executive Officer,
Kannivadi Town Panchayat, Kannivadi,
Dindigul District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in Na.Ka.No. 122/2020, dated 24.11.2021, on the file of the respondent No.3, and quash the same as illegal and consequently for a direction, directing the respondents to give the death certificate of Ponnamal @ Pommakkal to the petitioner within the time frame stipulated by this Court.



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For Petitioner : Mr.A.Ganesan
For R1, R2 : Mr.J.Ashok
Additional Government Pleader
For R3 : Mr.P.Subbaraj
Special Government Pleader

ORDER

The Writ Petition has been filed in the nature of seeking interference in the order of the third respondent, dated 24.11.2021 by which, the third respondent had refused to give the death certificate in the name of Ponnamal @ Pommakkal and gave the death certificate only in the name of Ponnamal.

2.It is stated by the learned counsel for the petitioner that both the names relate to same person, who had died on 15.10.2020. This is a issue, which has to be examined only by the third respondent after coming to a substantive satisfaction, whether the same individual has died and whether that individual was called as Ponnamal @ Pommakkal. There is also certificate from the Village Administrative Officer stating that both the names relate to same person.



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3.The third respondent is directed to conduct proper enquiry. The order now impugned is set aside and is remitted back to the third respondent to conduct enquiry and by examining all the documents produced, and give reasons for coming to a conclusion whether Ponnamal @ Pommakkal and Ponnamal are the two names of the same individual, who died on 15.10.2020. Depending on the nature of enquiry, a reasoned order should be passed. The said order shall be passed on or before 13.04.2023.

4.With the above direction, this Writ Petition stands disposed of.

No costs.

07.03.2023

NCS : Yes/No
Index : Yes / No
Internet: Yes/ No

PNM



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C.V.KARTHIKEYAN, J.

PNM

ORDER IN
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