



WP(MD)No.21620 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.12.2023

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

WP(MD)No.21620 of 2022

S.Bala Murali

...Petitioner

Vs.

- 1.The Commissioner,
Revenue Administration,
Commissionerate of Revenue
Administration,
Ezhilagam, 3rd Floor,
Kamaraj Salai, Chepauk,
Chennai – 5.
- 2.The District Collector,
Ramanathapuram.
- 3.The Revenue Divisional Officer,
Ramanathapuram.
- 4.The Tahsildar, Keelakarai, Ramanathapuram.
- 5.The Superintendent of Police,
Ramanathapuram.
- 6.The Manager,
A215/1548, Ramnad Cooperative
Urban Bank Ltd.,
No.68, Salai Street, Ramanathapuram.



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7.The Registrar (Birth and Death),
Thiru Uthirakosamangai Village Panchayat,
Ramanathapuram.

8.U.Selvamani

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the third respondent to conduct enquiry and to cancel the death certificate of deceased Ulaganathan and consequential legal heir certificate by considering the petitioner's representation dated 22.08.2022 within the time to be fixed by this Court.

For Petitioner : Mr.S.Satheesh Kumar

For Respondents : Mr.M.Prakash,
Additional Government Pleader
for R1 to R4, R6, R7

Mr.A.Albert James,
Government Advocate (crl.side)
for R5

COMMON ORDER

Heard both sides.

2.The prayer in the writ petition is for cancelling the death certificate issued by the seventh respondent. It is not in dispute that



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one Ulaganathan who is the uncle of the petitioner and husband of the respondent passed away on 30.07.2018. It is again beyond dispute that he died only at Lakshmana Hospital, Madurai. But in the impugned death certificate, it has been mentioned as if he passed away at Dr.No. 1/158, North Street, T.U.Mangai, Kizhakarai New, Ramanathapuram. It is obviously a false statement. I therefore have no hesitation to set aside the same. This is because, the Madurai Corporation has already issued a death certificate on 07.08.2018. When a death certificate has already been issued, issuing one another death certificate at a different place will not arise at all. The impugned death certificate is set aside.

3.This writ petition is allowed. No costs.

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Index : Yes / No
Internet : Yes / No
Skm



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- 5.The Superintendent of Police, Ramanathapuram.



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G.R.SWAMINATHAN, J.

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