



W.P(MD)No.27413 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.27413 of 2023

K.Podumponnu

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Melur,
Madurai District.

3.The Tahsildar,
Melur Taluk,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to register the Death of the petitioners husband and issuing Death Certificate of the petitioners husband to the petitioner, based on the petitioner's representation dated 05.12.2019.

For Petitioner : Mr.N.Palanisamy

For Respondents : Mr.S.Ra.Ramachandran
Additional Government Pleader



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ORDER

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Heard both sides.

2. The writ petitioner is a permanent resident of Melur Taluk. Her husband Kannuchamy had met with an accident at Palladam in Coimbatore District. The occurrence had taken place on 28.04.2018. Crime No.107 of 2018 was registered on the file of the Negamam Police Station under Section 174 of Cr.P.C. Copies of the FIR and the postmortem certificate have been enclosed in the typed set of papers. The petitioner requires death certificate. The second respondent has not considered the petitioner's application for the reason that death did not take place within the madurai district limits.

3. Considering the special facts and circumstances of this case, the petitioner need not be denied relief on this technical ground. The factum of death is beyond dispute. That the petitioner is a permanent resident of Madurai District is not questioned.

4. I therefore direct the second respondent to issue death certificate as sought for by the petitioner. This shall be done immediately and without any delay.

5. The Writ Petition is allowed. No costs.

20.11.2023

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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