



W.P.No.24003 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2024

CORAM :

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P.No.24003 of 2024

Velmurugan.D

... Petitioner

Vs.

1. The Chief Registrar of Births and Deaths,
Department of Public Health and Preventive Medicine,
No.359, Anna Salai, Teynampet,
Chennai.
2. The Additional Commissioner (Health),
Greater Chennai Corporation,
Rippon Building, Chennai – 600 003.
3. The Zonal Health Officer,
Department of Public Health,
Zone:05, Division : 59A,
Greater Chennai Corporation,
Rippon Building, Chennai – 600 003.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to make correction of the deceased mother's name Jeeva instead of Muthulakshmi in the death certificate of the petitioner's son in certificate number: D-2024:33-16549-002127 dated 03.04.2024 based on the petitioner's representation dated 17.07.2024.



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For Petitioner : Mr.A.Arun Kumar

For Respondents : Mr.E.Sundaram, GA, for R1
: Mr.A.E.Mani Bharathi, for R2 & R3

ORDER

This Writ petition has been filed seeking direction to the respondents to make correction in the name of the mother of the deceased/petitioner's son in the death certificate bearing No: D-2024:33-16549-002127 dated 03.04.2024 by considering the petitioner's representation dated 17.07.2024.

2. In view of the consent expressed by the learned counsel on either side, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that he got married with one Muthulakshmi and out of their wedlock, they blessed with two male children namely Yuvanesh and Sathish. While so, the said Muthulakshmi/petitioner's wife died on 08.05.2007 and thereafter, the petitioner got second marriage with one Jeeva and the same was registered on 09.11.2009. In such



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circumstances, the petitioner's elder son ie., Yuvanesh passed away in a road accident on 02.04.2024, for which a death certificate was issued by the 1st respondent, vide death certificate No:D-2024:33-16549-002127 dated 03.04.2024. However, in the said death certificate, instead of mentioning the mother's name as Muthulakshmi, it is mentioned as Jeeva, who is the 2nd wife of the petitioner. Therefore, in order to rectify the said error, the petitioner made a representation dated 17.07.2024 to the respondents, seeking necessary correction in the death certificate of the petitioner's son, however, till date, no order has been passed by the respondents. Hence, the petitioner has come up with the present writ petition.

4. Though very many grounds have been raised, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 17.07.2024 and to consequently make necessary correction in the name of the mother of the deceased/petitioner's son in the death certificate bearing No:D-2024:33-16549-002127 dated 03.04.2024.

5. Learned counsel appearing on behalf of the respective respondents



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have no objection for the said order being passed by this Court and they fairly submitted that, appropriate orders will be passed on the petitioner's representation dated 17.07.2024 within the time stipulated by this Court.

6. In view of the limited request made by the learned counsel for the petitioner, this Court without expressing any opinion on the merits of the case, directs respondents to consider the petitioner's representation dated 17.07.2024 on merits and in accordance with law and pass appropriate orders within a period of two weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and aggrieved persons if any.

7. Accordingly, this Writ Petition stands disposed of. No costs.

22.08.2024

skt

NCC : Yes/No
Index : Yes/No
Speaking Order : Yes/No

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To:

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M.DHANDAPANI, J.

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