



WEB COPY



W.P.No.24205 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2024

CORAM

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

W.P.No.24205 of 2024

V.Kavitha Devi

...Petitioner

Vs.

1. The Chief Medical Officer,  
Chinna Salem Government Head Hospital,  
Chinna Salem - 606 301.
2. The Executive Officer,  
O/o. Chinna Salem Township,  
Chinna Salem – 606 301.
3. The Inspector of Police,  
Keezhkuppam Police Station,  
Villupuram District.

...Respondents

Petition filed Under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus directing the 1<sup>st</sup> respondent to dispose the petitioner representation dated 09.07.2024 and consequently register the name of petitioner's daughter Bakyalakshmi in the Birth and Death extract Register maintained by the 2<sup>nd</sup> respondent.

For Petitioner : Mr.D.Bharathy

For Respondents : Mr.E.Sundaram, GA, for R1  
: M/s.K.Vasanthala Mala, GA, for R2  
: Mr.L.Baskaran, GA(Crl. Side), for R3



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## **ORDER**

**WEB COPY** This Writ petition has been filed seeking direction to the 1<sup>st</sup> respondent to consider the petitioner's representation dated 09.07.2024 and to consequently register the name of petitioner's daughter Bakyalakshmi in the Birth and Death extract Register maintained by the 2<sup>nd</sup> respondent.

2. Mr.E.Sundaram, learned Government Advocate takes notice on behalf of the 1<sup>st</sup> respondent, Ms.K.Vasanthi Mala, learned Government Advocate takes for the 2<sup>nd</sup> respondent and Mr.L.Baskaran, learned Government Advocate (Crl. Side) takes notice on behalf of the 3<sup>rd</sup> respondent. In view of the consent expressed by the learned counsel on either side, this matter is taken up for final hearing at the admission stage itself.

3. The case of the petitioner is that, due to some family problem, the petitioner's second daughter namely Bakyalakshmi attempted suicide and though she was admitted in the hospital, however, she subsequently died on 04.04.2019. For the above said incident, an FIR came to be registered in FIR No.134 of 2019 by the 3<sup>rd</sup> respondent and the petitioner



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was arrested and subsequently got released after three months. Due to the above said circumstances, the petitioner made a representation belatedly on 09.07.2024 before the 1<sup>st</sup> respondent seeking to register the death of the petitioner's second daughter, the said Bakyalakshmi, which evoked no response. Hence, the petitioner has come up with this Writ petition.

4. Though very many grounds have been raised, the learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the 1<sup>st</sup> respondent to consider the petitioner's representation dated 09.07.2024 and to consequently register the name of petitioner's daughter Bakyalakshmi in the Birth and Death extract Register maintained by the 2<sup>nd</sup> respondent.

5. Learned counsel appearing on behalf of the respective respondents submitted that, though the petitioner's daughter died on 04.04.2019, however, the petitioner approached the respondents seeking registration of her late daughter's death only in the year 2024, after a lapse of about five years, which is not sustainable and the only remedy available to the petitioner is to approach the jurisdictional Revenue Divisional Officer and not the 1<sup>st</sup> and 2<sup>nd</sup> respondents.



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6. In view of the aforesaid submission made by the learned counsel appearing for the respective respondents, this Court, without expressing any opinion on the merits of the case, directs the petitioner to make a fresh representation before the jurisdictional Revenue Divisional Officer, seeking registration of the death of her deceased daughter namely Bakyalakshmi along with a copy of this order within a period of two weeks from the date of receipt of a copy of this order. Upon receipt of such representation, the jurisdictional Revenue Divisional Officer shall consider the same on merits and in accordance with law and pass appropriate orders within a period of four weeks thereafter, after conducting appropriate enquiry by affording opportunity of personal hearing to the petitioner and aggrieved persons, if any.

7. With the above directions, this Writ petition stands disposed of.

No costs.

**27.08.2024**

skt

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



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**M.DHANDAPANI, J.**

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