



W.P.(MD).No.1713 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.01.2024

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD).No.1713 of 2024

A.Selvarani

... Petitioner

vs.

1.The Registrar (Birth and Death),
Mahatma Gandhi Memorial
Government Medical College Hospital,
Trichy.

2.Rajeswari

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to remove the second respondent's name in the death certificate dated 02.12.2023, by replacing her name as she is the legally wedded wife of deceased husband Assaithambi, by considering her representation, dated 07.01.2024.

For Petitioner

: Mr.T.Lenin Kumar

For R1

: Mr.D.Gandhi Raj

Special Government Pleader



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ORDER

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This writ petition has been filed for issuance of a writ of Mandamus, directing the first respondent to remove the second respondent's name in the death certificate dated 02.12.2023, by replacing her name as she is the legally wedded wife of deceased husband Assaithambi, by considering her representation, dated 07.01.2024.

2. According to the petitioner, she has made a representation dated 07.01.2024, to the first respondent, requesting him to remove the second respondent's name from the death certificate and replace her name. After receipt of the said representation, the first respondent has not taken any steps to remove the name of the second respondent. Hence, the petitioner has filed the present writ petition.

3. Mr.D.Gandhi Raj, learned Special Government Pleader takes notice for the first respondent.

4. Considering the above said facts, this Court, without expressing any opinion on the merits of the matter, directs the first respondent to



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consider the petitioner's representation dated 07.01.2024 and pass appropriate orders, on merits and in accordance with law, after holding an enquiry and after giving an opportunity to the parties concerned, within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that if there is any conflict, then the parties can be directed to approach the competent civil Court to establish their right.

5. With the above directions, this Writ Petition is disposed of. No costs.

30.01.2024

akv

To

The Registrar (Birth and Death),
Mahatma Gandhi Memorial
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V.BHAVANI SUBBAROYAN,J.

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