



W.P(MD)No.3202 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2024

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.3202 of 2024

and

W.M.P.(MD)No.3160 of 2024

Jeyarani

... Petitioner

Vs.

The Revenue Divisional Officer,
Devakottai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings dated 23.11.2023 in O.Mu.A2/8050/2020 of the respondent and quash the same and consequently, to direct the respondent to hold proper enquiry and issue a death certificate for Sengol son of Pitchai Muthu Konar, who died on 15.02.1946.

For Petitioner : Mr.V.R.Shanmuganathan

For Respondent : Mr.P.Thambidurai,

Government Advocate



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ORDER

The petitioner seeks issuance of Death Certificate in respect of her grand father, namely, Sengol. The petitioner's request was rejected only on the ground that there were two persons of bearing same name in that village and one was female and the other one was male. The petitioner was asked to go before the jurisdictional civil Court. Challenging the said stand of the Revenue Divisional Officer, she has filed the present Writ Petition.

2.The petitioner enclosed copy of the Death Certificate of Sengol (female), who passed away on 07.06.1985. There is material to show that the petitioner's grandfather died in the year 1946. In my view, further enquiry is warranted. In any event, this issue cannot be decided in the civil Court. In this view of the matter, the impugned memo is set aside and the matter is remitted back to the file of the respondent. The respondent is called upon to make further enquiry and pass order on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. Notice will be issued to the defendant in O.S.No.27 of 2019.



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3.This Writ Petition is disposed of accordingly. No costs.

Consequently, connected miscellaneous petition is closed.

01.08.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

Yuva

To

The Revenue Divisional Officer,
Devakottai.



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G.R.SWAMINATHAN, J

Yuva

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