



W.P(MD)No.8984 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 22.04.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.8984 of 2024

1.A.Palani Kumaran
2.S.Arumugam

... Petitioners

Vs.

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Tahsildar,
Santhankulam,
Thoothukudi District.

3.The Village Administrative Officer,
Pulliankulam,
Karukadal Village,
Santhankulam Taluk,
Thoothukudi District.

4.The Sub Registrar,
Department of Registration
(Birth and Death),
Office Custodian,
Santhankulam Taluk,
Thoothukudi District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 2 and 4 more particularly the fourth respondent to consider the petitioner's representation dated 13.10.2023 and pass appropriate orders on merits and in accordance with law and thereby issue the death and legal heirs certificates of the petitioner's deceased Grandfather Kailasampillai forthwith.

For Petitioners : Mr.S.Palanivelayutham

For Respondents : Mr.D.Sasikumar
Additional Government Pleader
for R.1 to R.3

Mrs.D.Farjana Ghoushia
Special Government Pleader for R.4

ORDER

Heard both sides.

2.The petitioner's grandfather passed away. The petitioner wants death certificate as well as legal heir certificate. When the matter was taken up for hearing, it was submitted by the Tahsildar, Sathankulam that even according to the petitioner his grandfather A.Kailasampillai passed away in the year 1945. When the issue is being raised after a lapse of



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almost eighty years. I fail to understand as to how the authorities can even respond. Normally, if a death is not registered within the stipulated period, non-availability certificate must be obtained from the jurisdictional registrar and thereafter, the Revenue Divisional Officer has to be approached. The Revenue Divisional Officer will in turn conduct enquiry. Only thereafter a belated registration can be made. Since the time lapse in this case is close to eight decades, no purpose will be served in issuing any direction. It is for the petitioner to work his rights in the manner known to law.

3.This writ petition is dismissed. No costs. Connected miscellaneous petition is closed.

22.04.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No

SKM

To

1.The District Collector,
Thoothukudi District,
Thoothukudi.

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G.R.SWAMINATHAN, J.

SKM

- 2.The Tahsildar,
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Thoothukudi District.
- 3.The Village Administrative Officer,
Pulliankulam,
Karukadal Village,
Santhankulam Taluk,
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