



W.P.(MD)No.31184 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.12.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.31184 of 2024

and

W.M.P.(MD)No.26150 of 2024

N.Mayuran

... Petitioner

/Vs./

1. The District Collector,
Madurai District,
Madurai.
2. The Revenue Divisional Officer,
Melur Revenue Division,
Vellaripatti,
Madurai District.
3. The Tahsildar,
Melur Taluk,
Madurai District.
4. The Registrar,
Birth and Death Registration,
Thiruvathavoor Village Panchayat,
Melur Taluk,
Madurai District.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating to the Impugned Death Certificate in Registration No. D-2022.33-4858-000034 dated 12.08.2022 of the 4th respondent, quash the same as illegal and consequently directing the respondents to issue fresh Death Certificate of the petitioner's wife namely 'Sivaranjani' with include the petitioner's name 'Mayuran' in accordance with law, within stipulated time fixed by this Court.

For Petitioner : Mr.C.Bharathi

For Respondents : Mr.M.Senthil Ayyanar (R1 to R3)
Government Advocate

ORDER

This writ petition has been filed challenging the death certificate dated 12.08.2022 issued by the fourth respondent without mentioning the petitioner's name as husband of the deceased.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself. Heard the learned counsel on either side and perused the materials placed before this Court.



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3. The petitioner is a srilankan refugee and he fall in love with one Sivaranjani, and got married. The said marriage was also duly registered by the Sub Registrar, Nagapattinam on 16.02.2021. The petitioner and his wife were also issued with a marriage registration certificate. While being so, on the torture given by her parents, she committed suicide on 27.06.2022 at the residence of her parents. Immediately, the petitioner lodged a complaint alleging that his wife died on a suspicious manner. Pursuant to the said complaint, the Inspector of Police, Melur, Madurai District, registered an FIR in Crime No.353 of 2022 for the offence punishable under Section 174 (3) of IPC. Further, only on the information given by the petitioner, the death was registered by the fourth respondent. Infact, only the petitioner did all her last rites and buried the dead body. However, the fourth respondent issued the death certificate without mentioning the name of the petitioner as the husband of the deceased in the column of 'Husband/Wife name'.

4. Admittedly, there is no objection or rival claim from anybody claiming to be the husband of the deceased Sivaranjani. In view of the



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same, the death certificate issued by the fourth respondent is liable to be quashed and accordingly, the impugned death certificate issued by the fourth respondent is hereby quashed. The fourth respondent is directed to issue a fresh death certificate mentioning the name of the petitioner as husband of the deceased Sivaranjani, within a period of two weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

20.12.2024

Index : Yes / No
NCC : Yes / No
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G.K.ILANTHIRAIYAN, J.

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Order made in
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Dated:
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