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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-07-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 23772 of 2025

Ammu.S

Petitioner(s)

Vs

1. The Commissioner
Greater Chennai Corporation,
Ribbon Building, Chennai-600 003.

2.Zonal Health Officer
Zone-8, Greater Chennai Corporation,
36B Pulla Avenue,
Shenoy Nagar, Chennai-600 030.

3.The Sub Inspector Of Police,
Avadi-TIW Police Station,
Avadi, Thiruvallur District.

4.Selvi

Respondent(s)

PRAYER Writ Petition filed under Article 226 of the Constitution of India for
issuance of a Writ of Certiorarified Mandamus, calling for the records with



respect to 2nd respondent's letter No. Ma.A.8.Po.Thu.Na.Ka.No.1592/2024 dated NIL.07.2024 and direct the 2nd respondent to issue correct death certificate by including petitioner's name "Ammu S" as wife of my deceased husband G.Srinivasan instead of "Selvi".

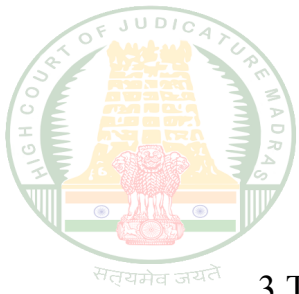
For Petitioner(s): Mr.C.Prabhu

For Respondent(s): Mr.E.C.Ramesh
Standing Counsel
for R1 and R2
Mr.Leonard Arul Joseph Selvam
Government Advocate (Criminal Side)
for R3

ORDER

This writ petition has been filed challenging the impugned communication of the 2nd respondent and for a consequential direction to the 2nd respondent to correct the name of the wife of the deceased G.Srinivasan as S.Ammu instead of Selvi.

2.Heard Mr.A.K.Sriram, learned counsel appearing on behalf of the petitioner, Mr.E.C.Ramesh, learned Standing Counsel appearing on behalf of respondents 1 and 2 and Mr.Leonard Arul Joseph Selvam, learned Government Advocate (Criminal Side) appearing on behalf of the 3rd respondent.



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3.The case of the petitioner is that she was married to Mr.G.Srinivasan in the year 2002 and out of the wedlock, two children were born viz., Divya and Deepa. It seems that the petitioner's husband had an extramarital relationship with one Selvi. Unfortunately, on 20.12.2023, petitioner's husband met with a road accident and he succumbed to the injuries.

4.The grievance of the petitioner is that at the time of issuing the Death Certificate, the wife of the deceased was mentioned as Selvi instead of Ammu.

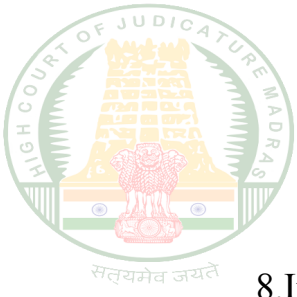
5.The petitioner submitted a representation in this regard before the respondent and sought for the rectification in the name of the wife in the Death Certificate. The 2nd respondent through the impugned communication has informed the petitioner that such rectification cannot be done. Aggrieved by the same, the present writ petition has been filed before this Court.



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6. In the considered view of this Court, there are overwhelming materials available before the Court in terms of the Birth Certificate of the two daughters born out of the marriage, the Aadhar Card, ration card and also the Aadhar card that was issued in the name of the daughters, to establish that the petitioner is the legally wedded wife of Late Srinivasan. Since the said Srinivasan was living with one Selvi, it seems that her name has been incorporated in the Death Certificate. Hence, when the application was filed by the petitioner seeking for rectification of the name of the wife in the Death Certificate, the same ought to have been acted upon and fresh Death Certificate should have been issued after conducting an enquiry. Instead, the 2nd respondent has informed the petitioner that the name cannot be changed. The same is unsustainable and the impugned communication of the 2nd respondent, is hereby set aside.

7. There shall be a direction to the 2nd respondent to deal with the application submitted by the petitioner by collecting all the relevant documents and do the needful, within a period of four weeks from the date of receipt of copy of this order after affording opportunity to the 4th respondent.



8. In the result, this writ petition stands allowed with the above directions.

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No Costs.

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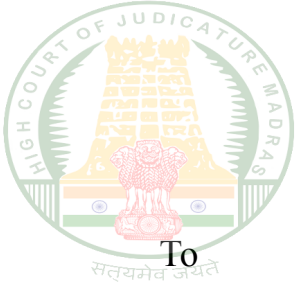
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

ssr



To

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Greater Chennai Corporation, Ribbon
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2. Zonal Health Officer

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3. The Sub Inspector Of Police,
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N.ANAND VENKATESH J.

SSR

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