

W.P Nos. 28919 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:18.08.2025

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THE HONOURABLE MRS JUSTICE N. MALA

WP No. 28919 of 2025

Yogalakshmi

...Petitioner

Vs

1. The Commissioner
Greater Chennai Corporation
Rep by its Commissioner,
Ripon Building,
Chennai-600003.

2.The Zonal Officer,
Greater Chennai Corporation,
Zone -12, Nagireddy Thottam,
Chennai-600032.

..Respondents

Writ Petition is filed under Article 226 of Constitution of India for issuance of writ of mandamus, directing the 2nd respondent to consider the petitioner's representation dated 16.05.2025 and to change her name as Yogalakshmi instead of Sumaiya vide registration No. D- 021-33-16486-000017 dated 08.02.2021 in her husband's death certificate and pass

For Petitioner: Mr. T.Arul

For Respondents: Mr.V.Manoharan, AGP



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ORDER

Writ petition is filed for a mandamus seeking directions to the 2nd respondent to consider the petitioner's representation dated 16.05.2025 and to change her name as Yogalakshmi instead of Sumaiya in her husband's death certificate.

2. The case of the petitioner is that she belongs to the Hindu religion, and that she married one Rafi under the Special Marriage Act. The petitioner states that her husband passed away on 19.01.2021. According to the petitioner, at the time of applying for the death certificate, her husband's brother, Rizwan, had wrongly mentioned her name as 'Sumaiya' instead of 'Yogalakshmi'. Upon realising the error, the petitioner's brother-in-law, Rizwan submitted a letter on 31.07.2024, to the 2nd respondent, along with supporting documents, seeking rectification of the mistake in recording the petitioner's name in the death certificate of her husband. Subsequently, the petitioner herself submitted a representation to the 2nd respondent on 16.05.2025, enclosing all the supporting documents. Despite the same, no action was taken by the 2nd respondent and hence the petitioner was constrained to file the present writ petition.

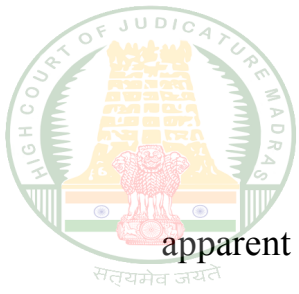


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3. The 2nd respondent filed a detailed counter affidavit stating that based on the information furnished by the petitioner's brother-in-law Rizwan, the death certificate of the deceased husband of the petitioner was issued on 08.02.2021. The respondent denied the petitioner's contention that alongwith the representation dated 20.04.2024, she had filed the supporting documents. The respondent stated that in the enquiry conducted, though the petitioner's husband's siblings confirmed the marriage of the petitioner with the deceased Rafi, they did not confirm that Yogalakshmi and Sumaiya were one and the same person. The respondent further stated that due to the long delay of three years, in submitting the representation, the petitioner's request for correction of her name in the death certificate, could not be entertained.

4. Learned counsel for the petitioner submitted that in the marriage registration certificate dated 08.11.1995, the petitioner's name was mentioned as Yogalakshmi, and in all her official documents viz., Voter ID, Aadhaar Card and Ration Card, her name was consistently mentioned as Yogalakshmi. Learned counsel further submitted that unless the petitioner's name was rectified in the death certificate of her husband, she would not be issued the legal heirship certificate. The learned counsel further submitted that for no



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apparent reasons, the 2nd respondent has kept the representations dated

31.07.2024 and 16.05.2025, pending.

5. Heard the submissions of the learned counsel for the parties and perused the materials placed on record.

6. The facts of the case are undisputed. The official documents viz., Voter ID, Aadhaar Card and Ration Card etc., produced by the petitioner clearly establish her name as Yogalakshmi. The marriage registration certificate dated 08.11.1995, further evidences that the petitioner belongs to the Hindu religion and that her name was registered as Yogalakshmi when she married one Rafi under the provisions of Special Marriage Act. The explanation offered by the 2nd respondent in the counter affidavit that there was a delay of three years, in seeking name correction cannot by itself constitute a valid ground to reject the petitioner's claim. It is also relevant to note that during the enquiry conducted with the siblings of the deceased Rafi, they categorically admitted that their brother had married the petitioner Yogalakshmi, though they expressed uncertainty as to whether Sumaiya and Yogalakshmi were the same person. Such uncertainty expressed by third parties cannot be a lawful ground for the 2nd respondent to indefinitely keep the petitioner's request pending, especially when unimpeachable documentary



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evidence is produced to establish her identity as Yogalakshmi. Further, it is pertinent to note that the informant of the particulars in the death certificate viz., Rizwan (brother-in-law of the petitioner) himself submitted a representation on 31.07.2024, seeking rectification of the petitioner's name as Yogalakshmi in the death certificate. The statutory authority is duty bound to act upon authentic documentary records rather than rely on speculative statements of relatives.

7. Having regard to the facts and circumstances of the case, and in view of the official documents produced by the petitioner which clearly establish her name as Yogalakshmi, this Court finds that except in the death certificate of her husband obtained by her brother-in-law, wherein her name was wrongly mentioned as Sumaiya, in all other records, including the marriage certificate dated 08.11.1995, the petitioner's name consistently appears as Yogalakshmi. Therefore, this Court is of the considered view that the petitioner is entitled to have her name corrected in the death certificate of her husband and the same shall stand rectified as 'Yogalakshmi' in place of 'Sumaiya'.



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8. In view of the above discussions, this Court is inclined to issue the following direction.

“The 2nd respondent is directed to carry out necessary corrections in the death certificate dated 08.02.2021 of the petitioner's husband by substituting the name 'Yogalakshmi' instead of 'Sumaiya', and issue a fresh death certificate of the petitioner's husband, to the petitioner, within a period of six (6) weeks from the date of receipt of a copy of this order.”

9. With the above directions, the writ petition is disposed of. No Costs.

18.08.2025

Index : Yes/No
Internet : Yes/No
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