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W.P.No.37654 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2024

CORAM:

THE HONOURABLE MR. JUSTICE C.V. KARTHIKEYAN

W.P.No.37654 of 2024

S. Mallika

... Petitioner

Vs

1. The Chief Registrar / Director.
Birth & Death,
Department of Public Health and
Preventive Medicine,
No.359, Anna Salai,
DMS Complex, Teynampet,
Chennai 600 006.
2. The Commissioner
Greater Chennai Corporation,
Ripon Building, Poonamallee High Road,
Chennai 600 003.
3. The Zonal Health Officer,
Greater Chennai Corporation,
Zone-VIII, No.36B/12B, Pulla Avenue Road,
Shenoy Nagar, Chennai 600 030.
4. The Dean
Kilpauk Medical College,
Kilpauk, Chennai 600 010.

.... Respondents



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Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of certiorarified Mandamus to call for the records relevant to the proceedings in Ma.A.8.Po.Su.Thu.Na.Ka.No.1022/2024, dated 16.10.2024 passed by the third respondent and quash the same as illegal, improper, unreasonable and thereby direct the respondents to make necessary correction in the death certificate of Sathishkumar to include in the column of Name of the husband/wife Sagayamary instead of Aarthi within a stipulated period of time.

For Petitioner : Mr.B.Gopalakrishnan

For Respondents : Mr.E.Sundaram
Govt. Advocate for R1 & R4

Mr.D.B.R.Prabhu
Standing Counsel for R2 & R3

ORDER

This writ petition has been filed for issuance of a writ of certiorarified Mandamus to call for the records relevant to the proceedings in Ma.A.8.Po.Su.Thu.Na.Ka.No.1022/2024, dated 16.10.2024 passed by the third respondent and quash the same as illegal, improper, unreasonable and thereby direct the respondents to make



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necessary correction in the death certificate of Sathishkumar and to include in the column of name of the husband/wife Sagayamary instead of Aarthi within a stipulated period of time.

2. In the affidavit filed in support of the writ petition, it had been stated that the petitioner was the mother of Sathishkumar who was born in the year 1990. The said Sathishkumar was working as an Office Assistant in the department of the Directorate of Government Examinations, Tamil Nadu. He got married to one Sagayamary on 15.09.2020 and the marriage was registered under the Special Marriage Act, before the Sub Registrar Office, Purasaivakkam and marriage certificate had also been issued. A male child was born on 01.05.2021 and the same was registered with the 2nd respondent office. Birth Certificate was also issued and in the Birth Certificate the name of the father is given as Sathishkumar and the name of the mother is given as Sagayamary. Unfortunately, the daughter-in-law of the petitioner Sagayamary died in R.S.R.M Hospital, Royapuram, Chennai on 13.05.2021 owing to Covid-19. In her Death Certificate, the name of the husband was given as



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Sathishkumar/son of the petitioner. Thereafter, owing to that particular death of his wife, the son of the petitioner got depressed and he committed suicide on 08.08.2023. He had been admitted in Kilpauk Medical College and died on 11.08.2023. In this connection FIR in Cr.No.299 of 2023 had been registered under Section 174 of IPC. At that time, while mentioning the name of the daughter-in-law, the name Aarthi was wrongly given instead of Sagayamary.

3. The learned counsel for the petitioner stated that Aarthi is the name by which the daughter-in-law was commonly called but the actual name in the official records was Sagayamary.

4. It is only appropriate that in the Death Certificate of the son of the petitioner, Sathishkumar, the name of his wife Sagayamary is incorporated and the common name of his wife, is deleted. A direction is issued to the third respondent/The Zonal Health Officer, Greater Chennai Corporation, Zone-VIII, Shenoy Nagar, Chennai 600 030 to immediately correct the Death Certificate of Sathishkumar by including the name of



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Sagayamary in the Death Certificate of Sathishkumar who died on 11.08.2023. The impugned order is set aside and a direction is given to the 4th respondent to amend their records relating to the Death Certificate of Sathishkumar by incorporating the name of Sagayamary as his wife and deleting the name of Aarthi and on that amendment, the third respondent may upload in the records of the Greater Chennai Corporation and issue correct Death Certificate. The entire exercise by both the 3rd & 4th respondents must be completed within a period of three weeks from the date of receipt of a copy of this order.

5. Accordingly, the writ petition is allowed. No costs.

24.01.2025

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Index: Yes/No

Speaking order / Non speaking order

To

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C.V. KARTHIKEYAN, J.



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