



W.P.No.1909 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 27.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.1909 of 2025

M.Bharathi

... Petitioner

Vs.

1. The Dean,
Rajiv Gandhi General Hospital,
Chennai 600 003.
2. Senior Medical Record Office,
Rajiv Gandhi Govt. General Hospital,
Chennai 600 003.
3. Commissioner, Greater Chennai Corporation,
Ripon Building, Chennai 600 003.
4. City Health Officer (Public Health Department),
Greater Chennai Corporation,
Ripon Building, Chennai 600 003.

... Respondents

Prayer: Writ petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Certiorarified Mandamus, calling for the records of the second respondent in L.Dis.No.023112/MRD/2024, dated 05.09.2024 and to quash the order dated 05.09.2024 made therein and consequently to direct the first and second respondents to consider



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the representation of the petitioner dated 28.08.2024, correcting the name of the husband of the petitioner D.Murugesan instead of the incorrect name Thomas in the records of the Rajiv Gandhi Government Hospital, Chennai 600 003 and issue afresh letter of the death of D.Murugesan to the petitioner.

For Petitioner : Ms.L.Sasireka

For Respondents : Mr.E.Sundaram, Government Advocate

for first and second respondents

Mr.E.C.Ramesh, Standing Counsel

for third and fourth respondents

Mr.G.Baskaran for third respondent

ORDER

The writ petition is filed challenging the order passed by the second respondent, on the request made by the petitioner, seeking correction of the name of her deceased husband, in the death report submitted by the first and second respondent to the third respondent.

2. It is the case of the petitioner that her husband died on 20.12.2002, when he was under treatment in the first respondent's hospital. The petitioner obtained death certificate of her husband from the third respondent on 10.04.2024. In the death certificate, name of



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the petitioner's husband was wrongly mentioned as Thomas, instead of Murugesan. It is further stated by the petitioner that at the time of admission of the petitioner's husband in the first respondent hospital, his nick name Thomas was entered in the hospital records, instead of official name Murugesan. Therefore, in the death report prepared by the first respondent also, the name of the deceased was mentioned as Thomas. Based on the death report submitted by the first respondent, the third respondent prepared the Death Certificate by mentioning the name of the petitioner's deceased husband as Thomas. Hence, the petitioner submitted a representation before the first respondent seeking correction of petitioner's husband name in the death report as Murugesan instead of Thomas, so as to enable her to get the death certificate issued by the Chennai Corporation corrected. The copy of the said representation was also marked to the third and fourth respondent. The said representation was rejected by the second respondent by the impugned order on the ground that the competent authority to correct the death certificate is the Chennai Corporation. Aggrieved by the same, the petitioner has come before this court.



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3. The learned counsel for the petitioner submits that based on the death report issued by the first respondent, the third respondent entered the name of the petitioner's husband as Thomas in the death certificate certificate. Therefore, the petitioner seeks correction of the death report.

4. Mr.E.Sundaram, learned Government Advocate takes notice for the first and second respondent. Mr.E.C.Ramesh, learned Standing Counsel takes notice for the respondents 3 and 4.

5. The learned Standing counsel appearing for the respondents 3 and 4 would submit that based on the death report issued by the first respondent, the name of the petitioner's husband has been mentioned as Thomas in the Death Certificate.

6. Section 15 of the Registration of Birth and Death Act, empowered the Registrar to correct the erroneous entry in the death certificate. Hence, the competent authority / fourth respondent on satisfied with the discrepancy alleged by the petitioner with regard to



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the official name of the deceased, can pass orders for correction of death certificate, as provided under the Act and rules framed thereunder. The representation of the petitioner dated 28.08.2024 was also submitted before the third and fourth respondent. Therefore, the third respondent is directed to forward the representation of the petitioner dated 28.08.2024 to the competent authority, namely the Registrar/Zonal Officer, Zone-V, Corporation of Chennai, within two weeks from the date of receipt of copy of the order and on receipt of the same, the authority shall consider the said representation and pass final orders, within a further period of eight weeks, after affording reasonable opportunity to the petitioner.

7. With the above direction, this writ petition is disposed of.

There shall be no order as to costs.

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Index:Yes/No
Internet:Yes/No
mst



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To

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S.SOUNTHAR, J.

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