



WEB COPY



W.P.No.37789 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 03.10.2025**

CORAM :

**THE HONOURABLE MR JUSTICE P.B.BALAJI**

**W.P.No.37789 of 2025**

Venkatesan N

... Petitioner

Vs.

1. The District Collector,  
Erode.

2. The Revenue Divisional Officer,  
Gobichettipalayam,  
Erode District.

... Respondents

**PRAYER :** Writ Petition has been filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus or any other Writ, Order or any direction to consider the representation dated 27.09.2025 and consequently direct the second respondent to issue Death Certificate for Rangaboyan S/o. Chinnathellaboyan under Rule 9 (3) of the Tamil Nadu Registration of Births and Deaths Rules 2000 within the time frame stipulated by this Court.

For Petitioner : Mr.G.R.Deepak

For Respondents : Mr.LSM.Hasan Fizal  
Additional Government Pleader

**ORDER**

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

2. The petitioner seeks issuance of mandamus to consider the



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representation dated 27.09.2025 regarding the issuance of death certificate under Rule 9 (3) of the Tamil Nadu Registration of Births and Deaths Rules, 2000, within a time stipulated by this Court.

3. This Court, in similar circumstances, *vide* order dated 18.03.2025 W.P.(MD)No.6200 of 2025, has directed the respondent authorities to consider the representation, subject to the petitioner being called upon to pay fine. In the said Writ Petition, this Court has held as follows:

*“17. Presently, the State of Tamil Nadu has framed rules under the Tamil Nadu Registration of Birth and Death Rules, 2000. Under Rule 9 (3) of the said Rules, if any birth or death has not been registered within one year of its occurrence, then the same shall be registered by an order of the Executive Magistrate not below the rank of the Revenue Divisional Officer on payment of a late fee of Rs.500/-. What is not barred under a legislation or statutory rules is deemed to have been permitted. The rules do not fix an outer limit within which the births and deaths would have to be registered, in default of which, registration itself is held impermissible. What is not prohibited is deemed to have been permitted.*

*18. A combined reading of Rule 9(3) r/w. Section 8(1)(a) and Section 21 makes it clear that even if the death which has taken place prior to the enactment of the Registration of Births and Deaths Act can be registered on payment of a late fee on an order made by the Executive Magistrate of the concerned area.”*

4. In the case on hand, the petitioner has made a representation



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seeking registration of death of Mr.Rangaboyan S/o. Chinnathellaboyan, even as early as on 27.09.2025 and the same is kept pending without passing any orders. Hence, in the light of the decision of this Court in W.P.(MD)No.6200 of 2025, dated 18.03.2025 cited *supra*, I am inclined to dispose of the present writ petition, directing the petitioner to pay a sum of Rs.500/- (Rupees Five Hundred only) towards late fee. The petitioner along with the proof of payment of late fee, shall make a fresh and detailed representation enclosing earlier representation, within a period of two weeks from the date of receipt of a copy of this order. Upon receipt of the same, the application of the petitioner in Na.Ka.No.251/4919/2021, shall stand restore on file and the second respondent shall conduct due enquiry and pass orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

With the above observations, this Writ Petition is disposed of.

No costs.

**03.10.2025**

Index : Yes/No  
Speaking Order : Yes/No  
Neutral Citation : Yes / No  
dh/vum



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**P.B.BALAJI,J.,**

dh/vum

To

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Erode.
2. The Revenue Divisional Officer,  
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