



WEB COPY



W.P.No.40647 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2025

C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.40647 of 2025

S.Kavi Varman

... Petitioner

Vs

1.The Commissioner
Corporation of Chennai
Ripon Buildings
Chennai-600003.

2. The Zonal Health Officer,
Birth and Deaths registration Department
Greater Chennai Corporation,
Chennai-600003

3.The Officer in charge
Kannamapet Burial ground
Division 141, Corporation of Chennai.
Chennai.

4.The District Revenue Officer,
Chennai District.

*[R-4 suo moto impleaded by this Court
vide order dated 29.10.2025 in W.P.No.40647 of 2025]*

... Respondents



W.P.No.40647 of 2025

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 2nd respondent to issue the death certificate of the mother of the petitioner Mrs.P.Kirupa Lakshmi recording the date of Death as 25.05.1981 within a time frame to be fixed by this Hon'ble Court.

For Petitioner : Mr.A.Thiagarajan

For Respondents : Mr.Arun Babu for RR-1 to 3

: Mrs.S.Anitha,
Special Government Pleader for R-4

ORDER

This Writ Petition has been filed seeking a direction to the 2nd respondent to issue the death certificate in respect of the petitioner's mother by recording her date of death as 25.05.1981 within the time that may be stipulated by this Court.

2. Mr.Arun Babu, learned standing counsel takes notice on behalf of respondents 1 to 3. Mrs.S.Anitha, learned Special Government Pleader takes notice on behalf of the impleaded/4th respondent.

3. It is the case of the petitioner that the death certificate of his mother who died on 15.03.2024 has not been issued by the respondents till date. Hence, the present Writ Petition.

4. When the matter is taken up for hearing, learned counsel for the petitioner submitted that, it would suffice, if this Court issues a direction to the respondent authorities to issue death certificate in respect of his deceased mother within the time that may be stipulated by this Court.



5. Per Contra, learned counsel appearing for respondents 1 to 3 submitted that, as per Section 13(3) and Rule 9(3)(1) of the Registration of Births and Deaths Act, 1869, the power to register the deaths reported beyond the prescribed period vests only with the Revenue Divisional Officer. Therefore, the petitioner has to necessarily approach the said authority by filing appropriate application for issuance of death certificate in respect of his deceased mother and the same will be considered and appropriate orders will be passed within a period of four weeks from the date of receipt of a copy of this order.

6. The Revenue Divisional Officer being the competent authority to deal with the matters under the Registration of births and deaths Act, 1869, is a necessary party to this Writ Petition. Since, the said authority has not been arrayed as a party, this Court *suo moto* impleads the Revenue Divisional Officer, Chennai as the 4th respondent in this Writ Petition. The petitioner is directed to make appropriate application in the prescribed form before the 4th respondent within a period of two (2) weeks from the date of receipt of a copy of this order and upon receipt of such application, the 4th respondent is directed to consider and pass appropriate orders on the same in accordance with law within a period of four (4) weeks thereafter.



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M.DHANDAPANI, J

Nhs

7. This Writ Petition stands disposed of with the aforesaid direction. There shall be no order as to costs.

29.10.2025

Index : Yes / No

Speaking Order / Non-speaking order

Neutral Citation Case : Yes / No

Nhs

To

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