



WP(MD) NO. 4033 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2025

CORAM

THE HONOURABLE MR JUSTICE V. LAKSHMINARAYANAN

WP(MD) NO. 4033 of 2025

Roshan Rishana
W/o.Fairos Khan, No.109, Sigil Raja Veethi,
Ramanathapuram District.

Petitioner(s)

Vs

Union of India Represented by
High Commissioner, High Commission of India, Kuala
Lumpur, Malasiya. and 4 Others

Respondent(s)

For Petitioner(s):

Mr.C.M. Arumugam

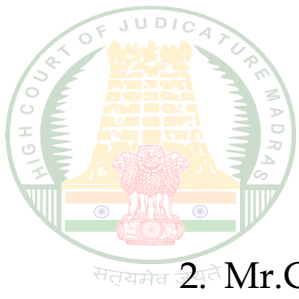
For Respondent(s): Mr.Murali for Mr.K.Govindarajan

M/s.Deputy Solicitor General Of India (RR1 & 2)

Mr.S.Shaji Bino,
Spl. Govt. Pleader (RR3 to 5)

ORDER

The Tahsildar has submitted a report stating that he is unable to confirm the identity of Fyrozkhani along with Gani.



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2. Mr.C.M.Arumugam states that a certificate has been given by the Periya Muhallah Muslim Jamaath Nirvaga Mandram, to the effect that they have no objection to conduct the funeral of the said person in Malaysia. A copy of the same has been given to Mr.Murali representing Mr.K.Govindarajan, learned Deputy Solicitor General of India.

3. The issue in this case is whether Mr.Fyrozkhani (deceased) had earlier taken a passport in the name of Gani. The allegation of the petitioner is that while travelling to Malaysia under the passport issued in the name of Fyrozkhani, he passed away on 29.12.2024. The date of birth given in the Aadhar card matches the date of birth given in the passport, but the other details are all different.

4. The learned Deputy Solicitor General shall explore the possibility of contacting the appropriate authorities in Malaysia on the strength of the letter that has been given by Periya Muhallah Muslim Jamaath Nirvaga Mandram and attempt to perform final rites in Malaysia itself.

5. The point remains that whether Fyrozkhani and Gani are one and the same person. He died as a citizen of this country. Even a dead body is entitled to certain rights, including the right to decent burial, according to the religious practice of the deceased. If possible, the fingerprints of Gani shall be compared with that of Fyrozkhani, and if they match, the identity can be confirmed.



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5. In addition, the Tahsildar shall verify the veracity of the statement given by several third party witnesses on 20.03.2025 and submit a revised report, if necessary.

6. Post the matter on 28.03.2025.

sd/-
21/03/2025

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/03/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

To

1. The High Commissioner,
Union of India
High Commission of India,
Kuala Lumpur, Malasiya.

2. The First Secretary (Consular, Passport and Visa)
High Commission of India,
Kuala Lumpur, Malasiya.

3. The Commissioner
Commissionerate of Rehabilitation and
Welfare of Non Resident Tamils,
Chepauk, Chennai - 600 005.

4. The District Collector
Office of the District Collector,
Ramanathapuram.



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5. The Tahsildhar
Ramanathapuram Taluk,
Ramanathapuram.

ORDER
IN
WP(MD) No.4033 of 2025
Date :21/03/2025

MK/SAR /27.03.2025 4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023