



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2025

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THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.5822 of 2025

V.Balamurugan

: Petitioner

Vs.

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Sivagangai,
Sivagangai District.

2.The Tahsildar,
Kalaiyarkovil Taluk,
Sivagangai District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents to dispose of the petitioner's petition expeditiously in Na.Ka.A1/6529/2024 dated 14.10.2024 on the file of the first respondent and issue death certificate for the petitioner's grandfather namely Muthuthevar S/o. Chockalinga Thevar, died on 11.03.2011, within the stipulated time fixed by this Court.

For Petitioner : Mr.G.Sarathkumar

For Respondents 1 & 2 : Mr.S.Kameswaran

Government Advocate



ORDER

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The petitioner seeks issuance of Writ of Mandamus to direct the first respondent to pass orders on the petitioner's application for issuance of death certificate for his grandfather.

2.The grievance of the petitioner is that the petitioner has been made to run from pillar to post for obtaining death certificate for his grandfather. According to the petitioner, his grandfather died on 11.03.2011 and the petitioner's mother was the only legal heir of the said Muthuthevar, the grandfather of the petitioner. The petitioner's mother Valliyammal also died on 10.03.2001 and pre-deceased the grandfather. The admitted case of the petitioner is that the grandfather's death was not registered and hence, the petitioner has made an application for issuance of death certificate. However, the Tahsildar, Kalayarkovil, by certificate dated 02.08.2024 has stated that the death of Muthuthevar is not registered in their records. Thereafter, the petitioner has approached the first respondent and given a petition on 14.10.2024 and also remitted the requisite fee. The said application of the petitioner is pending in Na.Ka.A1/6529/2024. The petitioner seeks expeditious disposal of the said application dated 14.10.2024.



3.Learned Government Advocate would rely on G.O. (Ms).No.293, Health and Family Welfare (AB2) Department dated 02.12.2016, in and whereby Section 30 of the Registration of Births and Deaths Act, 1969 (Central Act 18 of 1969) has been amended more specifically Rule 9 Sub Rule 3 has been substituted empowering the authority not below the rank of Revenue Divisional Officer to register any birth or death which has not been registered within one year of its occurrence.

4.In view of the above, the competent authority is the first respondent before whom the petitioner has rightly made an application.

5.Considering the limited relief sought for by the petitioner, this Writ Petition is disposed of, by directing the first respondent to conduct due enquiry and disposed of the petitioner's application in Na.Ka.A1/6529/2024 dated 14.10.2024, within a period of twelve [12] weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

05.03.2025

Index :Yes / No

Internet : Yes / No

NCC : Yes/No

MR



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P.B.BALAJI., J.

MR

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