

W.P.(MD).No.9613 of 2025

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 07.04.2025

CORAM :

**THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN**

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C.Subramani

.. Petitioner

**Versus**

1.The Revenue Divisional Officer,  
Office of the Revenue Divisional Officer,  
Dindigul,  
Dindigul District.

2.The Tahsildar,  
Dindigul West Taluk Office,  
Dindigul,  
Dindigul District.

3.The Village Administrative Officer,  
Kamatchipuram Village,  
Ellaipatti,  
Dindigul West Taluk,  
Dindigul District.

.. Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India seeking Writ of Mandamus directing the respondent to dispose the application dated 19.05.2023 for grant of Death Certificate in respect of the petitioner's grandfather namely Krishnasamy Thevar as expeditiously as possible and within the time stipulated by this Court based on Petitioner's representation dated 24.03.2025.



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For Petitioner : Mr.Manikandan T

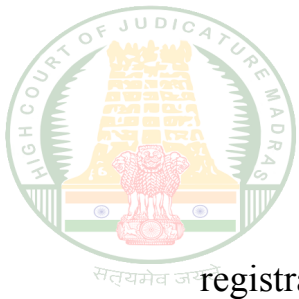
For Respondents : Mr.G.Suryananth,  
Additional Government Pleader

### **ORDER**

This writ petition has been filed seeking a direction to the respondent to dispose the application dated 19.05.2023 for grant of Death Certificate in respect of the petitioner's grandfather namely Krishnasamy Thevar.

2. The petitioner states that his grandfather is one Krishnasamy Thevar. He pleads Krishnasamy Thevar and his father, Chidambara Thevar and other members to the family were possessed of immovable property at Kattachinnampatti Village, Dindigul West Taluk, Dindigul District. He pleads that his grandfather, Krishnasamy Thevar passed away on 10.10.1967. Though the death ought to have been registered, on account of illiteracy, the family members did not register the death. On account of this fact, Patta No.315 continues to stand in the name of the deceased Krishnasamy Thevar.

3. The petitioner pleads that the family members wanted to divide the property among themselves, and at that time, they found necessity for



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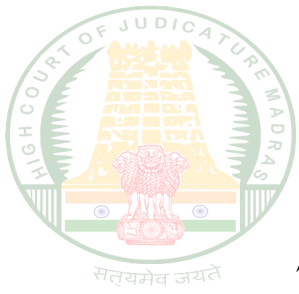
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registration of the death of the deceased Krishnasamy Thevar. Therefore, they made out an application on 19.05.2023 together with No Objection Certificate of the legal heirs to issue a death certificate of Krishnasamy Thevar.

4. Though the application had been made as early as 19.05.2023, the application was not disposed of. Hence, the petitioner sent a reminder on 24.03.2025 and as there was no response, he has come forward with the present writ petition.

5. I heard Mr.T.Manikandan for the petitioner and Mr.G.Suryananth for the respondents. I have gone through the records.

6. In terms of Rule 9(3) of the Tamil Nadu Registration of Births and Deaths Rules of 2000, an application for the issuance of a birth or death certificate, for a person who has expired or was born, one year and above before making of the application should be made to the Revenue Divisional Officer having jurisdiction over the area in the prescribed format. Along with the application, a late fee of Rs.500/- would have to be remitted.



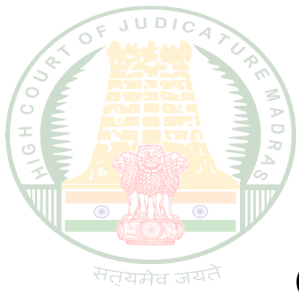
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7. Though the petitioner has made out an application, it is not clear from the typed set of papers whether the late fee of Rs.500/- has been paid. Furthermore, the proceedings of the respondent dated 30.05.2023 reveals that certain requirements had been sought from the petitioner. Therefore, when the application is not accompanied by the fee as required by the rules, obviously the respondent would not process the same.

8. Mr.G.Suryananth states, in case late fee and other formalities are complied, the first respondent will go through the same and pass appropriate orders. Accordingly, this writ petition is ordered on the following terms:

- (i) The petitioner shall pay a late fee of Rs.500/-.
- (ii) Along with the fee, he shall produce two affidavits notarized by a notary public stating that the deponents are aware that Krishnasamy Thevar passed away on 10.10.1967.
- (iii) He shall make a publication in a Tamil daily to the effect that Krishnasamy Thevar had passed away on 10.10.1967.
- (iv) He shall enclose the aforesaid documents and submit the same to the first respondent.



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(v) The first respondent shall look into the records and conduct such enquiry as he is permitted under the Rules and pass appropriate orders within eight weeks from the date of receipt of the aforesaid documents.

9. The Writ Petition stands disposed of. No costs.

07.04.2025

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Index : yes/no  
Speaking order/Non-speaking order  
Neutral Citation : yes/no

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**V.LAKSHMINARAYANAN, J.**

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