



W.P(MD)No.11608 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.04.2025

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P(MD)No.11608 of 2025

S.Janani

... Petitioner

Vs.

1.The Commissioner of Corporation,
Office of the Commissioner of Corporation,
Madurai Corporation,
Anna Maligai,
Madurai-2.

2.The Sanitary Inspector,
Zone No.III,
Madurai Corporation Central Office,
North Masi Street,
Madurai-1.

3.S.Manoharan

4.The Revenue Divisional Officer,
Collectorate Campus,
Madurai-20.

... Respondents

*(R-4 is suo motu impleaded vide Court order, dated
24.04.2025 in W.P(MD)No.11608 of 2025)*

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to register the death of petitioner's father, namely, Late.Saravanan son of Subramanian (Late) died on 09.07.2014 at the third respondent's



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hospital and consequently issue death certificate of petitioner's father by considering the petitioner's representation, dated 07.04.2025 and pass such further or other orders as this Court.

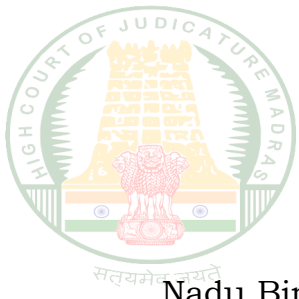
For Petitioner : Mr.L.Prabhu
For R-1 & R-2 : Mr.P.Anbunithi
For R-4 : Mr.S.Shaji Bino
Special Government Pleader

ORDER

The Revenue Divisional Officer, Collectorate Campus, Madurai-20 is suo motu impleaded as fourth respondent to the writ petition.

2. The petitioner seeks for a Writ of Mandamus to direct the respondents 1 and 2 to register the death of petitioner's father, namely, Late.Saravanan son of Subramanian (Late) died on 09.07.2014 at the third respondent's hospital and consequently issue death certificate of petitioner's father by considering the petitioner's representation, dated 07.04.2025.

3. As rightly contended by Mr.P.Anbunithi, the relief as couched is not maintainable. However, taking into consideration, Rule 9(3) of the Tamil



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Nadu Births and Death Rules of 2000, I am moulding the relief as would be clear hereunder.

4. The petitioner was born to one Saravanan. Saravanan was suffering from Tuberculosis Meningitis. He succumbed to the disease on 09.07.2014 at the Ganeshpriya Hospital, Ponmeni, Madurai. In the meantime, the petitioner's mother and father separated, which resulted in a divorce. The petitioner now requires the death certificate of her father in order to pursue her course in foreign countries. Hence, she filed an application with the respondents 1 and 2 seeking for issuance of death certificate. The same was rejected. Hence, this writ petition.

5. In terms of Rule 9(3) of the aforesaid rules, if a death is not recorded within a period of one year from the date of occurrence of the event, a party, who wants the death certificate would have to approach the jurisdictional Revenue Divisional Officer for a certification to the effect of death. In this case, the petitioner has not approached the Revenue Divisional Officer.

6. Hence, this writ petition is ordered in the following terms:



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"1) The petitioner shall make an application to the fourth respondent, Revenue Divisional Officer, Madurai seeking death certificate for her father, B.Saravanan, who passed away on 09.07.2014.

2) The petitioner at the time of such application shall enclose the death certificate issued by M/s.Ganeshpriya Hospital, 194 Bye-Pass Road, Ponmeni, Madurai-16 as well as the burial ground receipt that was issued by the first respondent on 10.07.2014. Along with the application, the petitioner shall pay a sum of Rs.500/- being the requisite fee under Rule 9(3) of the Rules. The fourth respondent, Revenue Divisional Officer shall conduct an enquiry, verify the records and issue the death certificate within a period of four (4) weeks from the date of filing of the application."

7. This writ petition is ordered on the above terms. There shall be no order as to costs.

24.04.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR



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V.LAKSHMINARAYANAN, J.

BTR

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