



W.P.(MD) No.17690 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2023

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.17690 of 2023

M.Easwari

... Petitioner

Vs

1. The Municipal Commissioner
Ramanathapuram Municipality
Ramanathapuram

2. The Registrar of Births and Deaths
Office of the Registrar
Ramanathapuram Municipality
Ramanathapuram

3. Pitchai Muthu

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 and 2 to consider the petitioner's representation dated 22.11.2021 in the light of the decision in 2016(3) LW 863 by Division Bench of this Court within a prescribed time stipulated by this Court.



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For Petitioner : Mr.S.A.S.Alaudeen

For R1 & R2 : Mr.Kannan

For R3 : Mr.A.Sathik Raja

ORDER

The prayer in the Writ Petition is to direct the respondents 1 and 2 to consider the petitioner's representation dated 22.11.2021 in the light of the decision in 2016(3) LW 863 by Division Bench of this Court within a prescribed time stipulated by this Court.

2. It is the case of the petitioner that she married one Murugan on 31.01.1983 and out of the wedlock they were blessed with a female child on 18.10.1985. Her daughter completed Post Graduate in Engineer and on 17.04.2011 she married one Sakthi Anand and then she expired on 01.09.2022. All the expenses from birth to education and also for marriage was spent by the husband of the petitioner. Her husband entered into Government Service as Revenue Inspector in 1973 and then promoted as Deputy Collector and completed his service on 20.09.20006 and thereafter he was appointed as Administrative Magistrate in HR &CE at Sivagangai as a contract service. Thereafter he expired on 27.05.2021. From the date of marriage till his death he entered the name



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of the petitioner and his daughter as joint pensioner. Thereafter when the petitioner approached the second respondent for obtaining death certificate of her husband she came to know that the death certificate was issued in favour of the third respondent as wife of the husband of the petitioner. The third respondent has no authority to obtain the same, hence she has made a representation to the respondents 1 and 2. Since the said representation was not considered till date, the petitioner has approached this Court.

3. The learned Counsel appearing for the respondents 1 and 2 would submit that the representation of the petitioner dated 22.11.2021 would be considered in accordance with law.

4. In view of the same, without expressing any opinion on the merits of the matter, this Court directs the second respondent to consider and pass orders on the representation of the petitioner dated 22.11.2021 on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.



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5. With the above direction, this Writ Petition is disposed of.

There shall be no order as to costs.

16.12.2023

Index : Yes/No
Internet: Yes/No
Neutral Citation: Yes/No

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To

1. The Municipal Commissioner
Ramanathapuram Municipality
Ramanathapuram
2. The Registrar of Births and Deaths
Office of the Registrar
Ramanathapuram Municipality
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KRISHNAN RAMASAMY, J.

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