

W.P(MD)No.20935 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 31.07.2025

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)No.20935 of 2025

A.Rajeshkumar

... Petitioner

Vs.

1.The Commissioner,
Madurai Corporation,
Madurai.

2.The Registrar,
Birth and Death,
Madurai Corporation,
Madurai.

3.T.Kala

...Respondents

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 cancel the death Certificate issued in favor of the third respondent to the petitioner's demised paternal uncle namely Thangaraja in CAR/1605/18D-2018:33-5265-000141 dated 15.09.2018 and issue fresh death Certificate by considering the petitioner's representation dated 25.06.2025 within time stipulated by this Court.



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For Petitioner : Mr.K.Dinesh

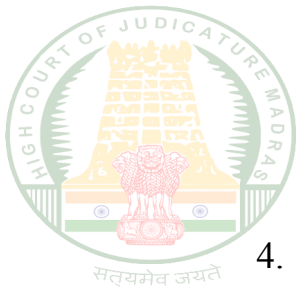
For Respondents : Mr.P.Anbunidhi
Standing Counsel

ORDER

This writ petition has been filed for a writ of Mandamus to direct the respondents 1 and 2 to cancel the death Certificate issued in favor of the third respondent to the petitioner's demised paternal uncle namely Thangaraja dated 15.09.2018 and issue fresh death Certificate by considering the petitioner's representation dated 25.06.2025.

2. The petitioner appears to be a class II legal heirs of late.M.Thangaraja who died on 14.09.2018.

3. The case of the petitioner is that the third respondent has obtained a legal heir certificate and a death certificate, as if she is the lawfully wedded wife of the petitioner's uncle late.M.Thangaraja, who died on 14.09.2018.

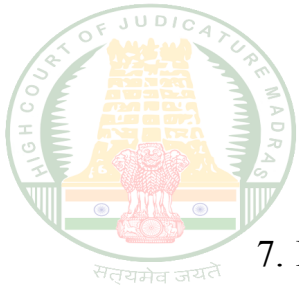


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4. It is submitted that the petitioner has also filed a complaint, which was registered as Crime No.35 of 2020 dated 18.02.2020 before the District Crime Branch, Madurai against the third respondent. It is submitted that a final report/charge sheet under Section 173 of Cr.P.C., filed before the Judicial Magistrate – I, Madurai and the case has been registered as C.C.No.14 of 2021 and is pending before the Judicial Magistrate – I, Madurai.

5. In this background, the petitioner has a representation dated 25.06.2025 for cancellation of the death certificate dated 20.09.2018, indicating as the third respondent was the wife of the petitioner's deceased uncle Late.M.Thangaraja.

6. It is the further case of the petitioner that the third respondent is already married to one Manikandan. To this effect, the petitioner has attempted to substantiate the same by producing the birth certificate of her daughter Rajeswari, who was born on 07.05.1996, wherein, the name of the father is given as V.Manikandan and the name of the Mother as M.Kala.



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7. Be that as it may, considering the fact that the charge sheet has been filed in C.C.No.14 of 2021, I direct the second respondent to re-examine the issue afresh after issuing due notice to the third respondent. This exercise shall be completed within a period of 8 weeks from the date of receipt of a copy of this order.

8. The writ petition stands disposed of. No costs.

31.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

1.The Commissioner,
Madurai Corporation,
Madurai.

2.The Registrar,
Birth and Death,
Madurai Corporation,
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C.SARAVANAN, J.

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