



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-03-2026

CORAM

THE HONOURABLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 9025 of 2022

AND

WMP NO. 8826 OF 2022

Bhavani,
W/o.Marimuthu,
959, Rajavinayagar Street,
Painganaadu Village,
Mannarkudi Taluk,
Thiruvarur District- 614 020.

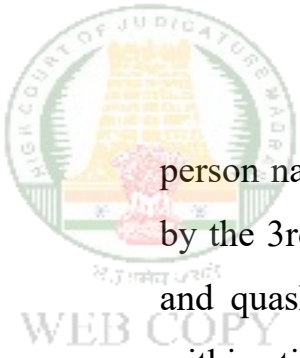
Petitioner(s)

Vs

1. The District Collector,
District Collector Office,
Thiruvarur District.
- 2.The Revenue Divisional Officer,
RDO, Office, Thiruvarur District.
- 3.The Head Zonal Tahsildar,
Mannarkudi Taluk, Thiruvarur District.
- 4.Marimuthu,
S/o.Arumugham, Avikkara Street,
Nemmeli, Pappanadu,
Oraththandu Taluk,
Thanjavur District- 614 625.

Respondent(s)

PRAYER:-Writ Petition filed under Article 226 of the Constitution of India, praying for an issuance of Writ of Certiorarified Mandamus, calling for the records of the impugned 2nd Death Certificate issued for the same deceased



person namely Muthukumar in prior to the date of death for the same deceased by the 3rd respondent's office Vide. Na.Ka. 14708 / 15 /A2, dated --. 09.2015, and quash the same and consequently direct to take legal action as per law within stipulated time that may be fixed by this Court.

For Petitioner(s): Mr.K.Rajesh
for Mr.R.Senthilkumar

For Respondent(s): Mr.P.Ganesan
Govt.Advocate
For R1 To R3
No Appearance
For R4

ORDER

This writ petition has been filed by the petitioner challenging the issuance of 2nd death certificate for her son, Vide. Na.Ka. 14708 / 15 /A2, dated --. 09.2015.

2.Learned counsel for the petitioner would submit that the petitioner's son passed away on 29.06.2008. The petitioner failed to inform the same to the concerned Revenue Officials. Therefore, the petitioner filed a petition before the Judicial Magistrate II, Mannarkudi in Cr.M.P.No.2695 of 2015 for issuance of death certificate for her son and the same was allowed on 30.06.2015. Based on the Court order, the death certificate was issued for the petitioner's son in the month of August, 2015. While so, the 4th respondent, who is the husband of the petitioner in order to grab the petitioner's property, which was earlier settled in



favour of the petitioner's son by the petitioner appointing the 4th respondent as guardian, had obtained a false death certificate as if their son died on 29.06.2007. The property which was settled in favour of the petitioner's son by the petitioner was again settled in favour of the petitioner by her son on 31.03.2008. The 4th respondent with an malafide intention so as to grab the petitioner's property has obtained a false death certificate as if their son died on 29.06.2007. Hence, the present writ petition has been filed challenging the issuance of the said 2nd death certificate.

3.Learned Government Advocate appearing for the respondents 1 to 3 by referring the counter affidavit filed by the 2nd respondent would submit that the Village Administrative Officer/Birth Death Registrar has registered the death of the petitioner's son on 08.07.2007. It has been registered as the petitioner's son died on 29.06.2007 and the death certificate has been issued to the father of the deceased in the month of June 2015. Later on 18.09.2015, the address of the deceased was amended by Tahsildar, Mannargudi. However, the petitioner has obtained the death certificate by filing the petition before the Judicial Magistrate II, Mannarkudi in Cr.M.P.No.2695 of 2015, wherein the date of death of the petitioner's son has been mentioned as 29.06.2008. Hence, the order whichever passed by this Court will be complied by the respondents.



4. Though notice served on the 4th respondent, none appeared on behalf of the 4th respondent.

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5. Heard the learned counsel for the petitioner as well as the learned Government Advocate appearing for the respondents 1 to 3 and perused the materials available on record.

6. Considering the submissions made by either parties, it is evident that the 4th respondent is the father of the deceased Muthukumar. The petitioner and the 4th respondents has been separated and both had obtained the death certificate of their son with different dates. According to the petitioner, her son died on 29.06.2008 and she obtained the death certificate by filing petition before the Judicial Magistrate II, Mannarkudi in Cr.M.P.No.2695 of 2015 dated 30.06.2015. However, the 4th respondent had obtained the death certificate as if his son died on 29.06.2008. According to the petitioner, the 4th respondent has obtained a false death certificate.

7. In view of the above, since the Court has decided the date of death of the petitioner's son as 29.06.2008, unless and otherwise, the same is challenged in the manner known to the law, that could be the date of death of the petitioner's son. The 4th respondent has not challenged the date of death of the petitioner's son declared by the Judicial Magistrate II, Mannarkudi in



Cr.M.P.No.2695 of 2015 dated 30.06.2015 till date. Hence, the death certificate issued by the 3rd respondent is liable to be set aside. Accordingly, the issuance of death certificate for the petitioner's son by the 3rd respondent vide. Na.Ka. 14708 / 15 /A2, dated --. 09.2015 is hereby set aside. The official respondents are directed to make suitable corrections in their records as the date of death of the petitioner's son as 29.06.2008.

8.With the aforesaid directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

10-03-2026

rst

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No

To

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- 2.The Revenue Divisional Officer,
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