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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 37735 of 2026

CNR:{HCMA012033842026}

George Williams

..Petitioner(s)

Vs

1. The District Collector
   Tirupathur District,
   Tirupathur
2. The Commissioner
   Ambur Municipality,
   Ambur, Tirupathur District
3. The Registrar of Births and Deaths
   Ambur Municipality
   Ambur, Tirupathur District
4. The Revenue divisional officer
   Tirupathru Revenue Division,
   Tirupathru District

..Respondent(s)

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent

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particularly the authorities concerned with the registration of births and deaths and the competent authority under section 13 (3) of the Registration of Births and Deaths Act 1969 to consider the petitioners representation dated 24.07.2026 verify the correctness of the deaths of Late Thiru Loganathan and Late Tmt. Sinthammani on the basis of the available official records pass appropriate orders for registration of their deaths and consequently issue their respective Death certificates

For Petitioner(s): Mr. P.Anbarasan

For Respondent(s): M/S. Inthu Karunakaran,
Special Government Pleader

Order

This writ petition has been filed for the following relief:

"To issue a writ of mandamus directing the respondent particularly the authorities concerned with the registration of births and deaths and the competent authority under section 13 (3) of the Registration of Births and Deaths Act 1969 to consider the petitioner's representation dated 24.07.2026 verify the correctness of the deaths of Late Thiru Loganathan and Late Tmt. Sinthammani on the basis of the available official records pass appropriate orders for registration of their deaths and consequently issue their respective Death certificates."

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2. The case of the petitioner is that his father, Late Thiru Loganathan, and mother, Late Tmt. Sinthamani, died in their residential premises during the year 2009. Since their deaths had not immediately come to light, their skeletal remains were recovered from the premises on 05.07.2011, pursuant to a police investigation. The post-mortem, forensic and anthropological examinations indicated that the skeletal remains belonged to his parents and that their deaths had occurred approximately during November–December 2009. In connection with the said incident, a criminal case was registered and taken on file in S.C.No.93 of 2014, in which the petitioner was ultimately acquitted by judgment dated 03.05.2017. The petitioner would state that the Criminal Court, while acquitting the accused, did not dispute the fact of the death of his parents, and the official medical, forensic and judicial records establish the same. Since the exact date of death could not be ascertained, the petitioner submitted a representation dated 24.07.2026 to the respondents, along with the relevant records, seeking registration of the deaths and issuance of Death Certificates under Section 13(3) of the Registration of Births and Deaths Act, 1969. However, despite receipt of the representation, the respondents have neither passed any orders nor communicated their decision. Hence, the present writ petition.

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3. Heard the learned counsel on both sides and perused the materials available on record.

4. This is a rather unfortunate case where the only son of the deceased parents, Late Loganathan, and Late Sinthamani who is not even aware of the date of his parents death, seeks their Death Certificates. According to the petitioner, his parents went missing during the year 2009 and he came to know about their deaths only on 05.07.2011, when their skeletal remains were recovered from a septic tank in their residential premises. The forensic examination indicated that the deaths could have happened approximately between 18 to 20 months prior to the recovery of the skeletal remains. The petitioner, who was implicated in the criminal case, was subsequently acquitted in S.C.No.93 of 2014 by judgment dated 03.05.2017. The case of the prosecution was that the deaths had occurred on 30.10.2009 at 12.00 noon and that the petitioner along with his uncle/A2-John Victor had committed the murders. However, the petitioner has been acquitted on the ground that the prosecution had failed to establish the charges beyond reasonable doubt. The petitioner now seeks registration of Death Certificates of his parents and issuance of Death Certificates on the basis of the available records.

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5. The learned Special Government Pleader appearing for the respondents would submit that the Registration of Births and Deaths Act, 1969 has been further amended by the Registration of Births and Deaths (Amendment) Act, 2026, which came into force on 01.10.2026. As per the amended Section 13(3), where delayed information is given to the Registrar after one year but within two years of the occurrence, registration shall be made only on an order passed by the District Magistrate or Sub-Divisional Magistrate or an Executive Magistrate authorised by the District Magistrate, after verifying the correctness of the birth or death. He would further submit that under Section 13(3A), where delayed information is given after two years of the occurrence, registration shall be made only on an order passed by the Judicial Magistrate of the First Class, after verifying the correctness of the birth or death.

6. It is also relevant to refer to Rule 9(3) of the Tamil Nadu Registration of Births and Deaths Rules, 2025, which provides for delayed registration of any birth or death after one year of its occurrence on an order made by the District Magistrate or Sub-Divisional Magistrate or an Executive Magistrate authorised by the District Magistrate.

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7. In view of the above, exercising powers under Article 226 of the Constitution of India, the respondents are directed to consider the petitioner's representation dated 24.07.2026, in the light of the amended provisions of Section 13 of the Registration of Births and Deaths Act, 1969, read with the Tamil Nadu Registration of Births and Deaths Rules, 2025, and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The respondents could consider the date of death provided by the prosecution in S.C.No.93 of 2014.

8. With the above directions, this Writ Petition is disposed of. No costs.

27-10-2026

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

SRN

To

1. The District collector
   Tirupathur District,
   Tirupathur

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2. The Commissioner
   Ambur Municipality,
   Ambur, Tirupathur District

3. The Registrar of Births and Deaths
   Ambur Municipality
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4. The Revenue divisional officer
   Tirupathru Revenue Division,
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P.T.ASHA J.

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