



WEB COPY

W.P(MD)No.6289 of 2



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 10.03.2026

CORAM

**THE HONOURABLE MR JUSTICE D.BHARATHA  
CHAKRAVARTHY**

**W.P(MD)No.6289 of 2026**

Pandi

... Petitioner

Vs.

The Revenue Divisional Officer,  
Revenue Divisional Office,  
Sivagangai.

...Respondent

Writ Petition is filed under article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records relating the impugned order in Memorandum in O.Mu.Aa1/407/2025 dated 11.02.2026 issued by the respondent and quash the same and consequently direct the respondent to issue death certificate for the petitioner's mother Marudhi to the petitioner within stipulated time fixed by this Court.

|                |                                          |
|----------------|------------------------------------------|
| For Petitioner | :Mr.S.Muthupandi                         |
| For Respondent | :Mr.P.Thambidurai<br>Government Advocate |

**ORDER**

This writ petition is filed challenging the impugned Order dated 11.02.2026.



2. Upon hearing the learned counsel for the petitioner and perusing the affidavit filed in support thereof, the brief factual background in which, the writ petition arises is that the petitioner claims that his mother by name, Marudhi, W/o. late Sonai died, on 21.07.1960 and the same was not registered with the then Registrar of Births and Deaths. When the petitioner is now in need of a death certificate, he has made an application to the respondent, namely the Revenue Divisional Officer, the same is now rejected by the impugned order on the ground that since the death is prior to the coming into force of the present Act, the same cannot be undertaken by the respondent.

3. When the matter came up for admission, both sides learned counsel could not deny the fact that the matter has since been decided by this Court on the earlier occasion and one such order in WP(MD)No.15053 of 2024 is also annexed along with the typed set of papers. It is already held by this Court speaking through Hon'ble Justice G.R.Swaminathan that merely because the death taken place before the enactment of the Registration of Births and Deaths Act, 1969, the authority cannot reject the same. It is for the petitioner to provide such proof in the form of other documents which are available at home, to prove the existence and the death of the said mother, including the affidavits from the neighbors, relatives who are



acquainted with the said fact or such other document as may be feasible to at least to an extent, prove the existence and dismissed of the person.

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4.Any other circumstantial evidence in respect thereof can also be produced before the Revenue Divisional Officer and the Revenue Divisional Officer can consider the same and pass fresh orders.

5.In view thereof, this writ petition is allowed on the following terms:

(i)The impugned order dated 11.02.2026 shall stand set aside and the matter is remanded back to the file of the respondent for first consideration.

(ii)It will be open for the petitioner to appear before the respondent and produce such proof in respect of the death of the petitioner's mother which may include affidavits of relatives, horoscope, 16<sup>th</sup> day ceremony related proofs etc for the death of the said Marudhi on the particular date and it is for the respondent to consider the same and pass orders in accordance with law. The aforesaid exercise shall be completed within a period of 16 weeks from the date of receipt of the web copy of the order. without waiting for the certified copy of the order. No costs.

10.03.2026

NCC:Yes/No



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**D.BHARATHA CHAKRAVARTHY, J.**

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