



W.P.(MD) No.13705 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.06.2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD) No.13705 of 2026

and

W.M.P.(MD) No.10193 of 2026

Ponnuthai

... Petitioner

Vs.

The Sub Collector cum Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Cheranmahadevi Division,
Tirunelveli District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order dated 15.11.2024 in his proceedings No.PA.MU.C.PA.No.171/2024/A4 on the file of the respondent and quash the same and consequently direct the respondent to register the death of the petitioner's deceased mother-in-law namely, Lakshmi.

For Petitioner : Mr.K.Yasar Arafath

For Respondent : Mr.P.Rajagopalan
Standing Counsel



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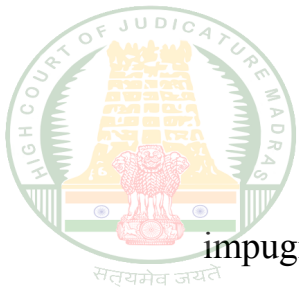
ORDER

The writ petition has been filed challenging the impugned order dated 15.11.2024.

2. It is the case of the petitioner that her mother-in-law, namely, Lakshmi, died on 11.08.1956. At the relevant point of time, the death was not registered. Subsequently, her husband, the son of the said Lakshmi also passed away. When the petitioner sought mutation of revenue records and asserted claims over certain properties, the death certificate of the said Lakshmi was required. Accordingly, the petitioner submitted an application before the respondent seeking registration of the death, however, the same came to be rejected under the impugned order.

3. The learned counsel appearing for the petitioner would submit that once an application has been duly made, the respondent ought not to have rejected the same on technical grounds.

4. Per contra, the learned Standing Counsel would submit that an effective alternative remedy by way of appeal is available against the



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impugned order. It is further submitted that in the absence of sufficient proof regarding the death, the application has rightly been rejected.

5. After hearing the learned counsel on either side, and on noticing that the rejection is primarily on the ground of insufficiency of evidence, this Court had directed the learned counsel for the petitioner to ascertain whether any additional material, including evidence in the form of persons having knowledge of the death, could be produced.

6. Pursuant thereto, the learned counsel for the petitioner has produced, today, two notarized affidavits of persons who claim to have personal knowledge of the death of Lakshmi. It is submitted that the said affidavits constitute additional evidence in support of the claim.

7. In view of the same, this Court is of the considered view that it is for the respondent authority to examine the said persons, verify the veracity of the affidavits, and satisfy itself regarding the sufficiency of evidence for registration of the death. It is also pertinent to note that this Court has already held in similar matters that even in respect of deaths which occurred prior to the coming into force of the present enactment,



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the competent authority is empowered to register such deaths, subject to satisfactory proof.

8. In the light of the above, the petitioner shall also be at liberty to produce any further material evidence in support of her claim before the respondent authority.

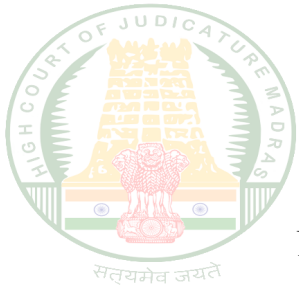
9. In view thereof, this writ petition is disposed of on the following terms:

(i) The impugned order dated 15.11.2024 is set aside and the matter is remanded to the file of the respondent for fresh consideration.

(ii) The petitioner shall produce the notarized affidavits as well as the said deponents for enquiry, apart from any other additional evidence that may be available.

(iii) The respondent shall reconsider the matter afresh, in accordance with law, after affording due opportunity to the petitioner and pass appropriate orders.

(iv) The above exercise shall be completed within a period of three months from the date of receipt of a web copy of this order.



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No costs. Consequently, the connected Miscellaneous Petition is

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11.06.2026

NCC : No
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To

The Sub Collector cum Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Cheranmahadevi Division,
Tirunelveli District.



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D.BHARATHA CHAKRAVARTHY, J.

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