



W.P(MD)No.34132 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

Writ Petition(MD)No.34132 of 2025

Guruvammal

.. Petitioner

Vs

1.The Registrar (Birth and Death),
Maraiyur Village Panchayat,
Maraiyur,
Virudhunagar District.

2.Rajeswari

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the 1st respondent restore the death certificate in D-2024 33-15615-000016 on 07.11.2024 and cancel the Death Certificate in favour of mother of the 2nd respondent based the petitioner's representation dated 02.07.2025 within stipulated time fixed by this Court.

For Petitioner : Mr.B.Kumaresan

For Respondent : Mr.S.S.Madhavan

Addl. Govt. Pleader for R1

Mr.T.Balaji for R2



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ORDER

The petitioner is before this Court seeking issuance of a writ of Mandamus directing the first respondent to restore the death certificate dated 07.11.2024 and to cancel the death certificate subsequently issued in favour of the mother of the second respondent.

2. The petitioner claims to be the legally wedded wife of one Ganesan, who died on 30.10.2024. Pursuant thereto, a death certificate was issued in which the petitioner was shown as the wife of the deceased. Subsequently, at the instance of the mother of the second respondent, the said death certificate dated 07.11.2024 was revoked, and a fresh death certificate was issued showing the mother of the second respondent as the wife of the deceased Ganesan.

3. The petitioner had earlier approached this Court in W.P.(MD) No.34863 of 2025 seeking cancellation of the legal heir certificate issued in favour of the mother of the second respondent. This Court, by order dated 01.12.2025, observed that both the petitioner and the said Muthurakku claim to be the legally wedded wife of the deceased Ganesan, and that such a dispute can be resolved only by approaching the competent civil court.

4. The second respondent has since filed a suit in O.S.No.18 of 2026 seeking declaration of ownership over the properties left behind by the deceased Ganesan and for consequential permanent



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injunction. The petitioner apprehends that the second respondent may rely upon the death certificate to claim rights over the suit properties and that the trial Court may be influenced by the same. The petitioner also contends that the earlier death certificate issued in her favour, which was subsequently revoked, may have a bearing on the outcome of the pending suit.

5. This apprehension is misconceived. The trial Court is not bound by entries in the death certificate or legal heir certificate and is required to independently adjudicate the rights of the parties based on the evidence placed on record.

6. In view of the above, this writ petition is disposed of, preserving the liberty of the petitioner and the second respondent to agitate their respective rights before the jurisdictional civil Court in the pending suit. The trial Court shall decide the suit on its own merits, uninfluenced by the issuance of the death certificate or legal heir certificate. All contentions are left open. No costs.

23.03.2026

NCC : Yes/No

Index : Yes/No

Internet:Yes

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To

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Maraiyur Village Panchayat,
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HEMANT CHANDANGOUDAR, J.

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