

IN THE VII ASSISTANT CITY CIVIL COURT, CHENNAI

Present : Thiru.D.Mohankumar, B.Com., M.L.,

VII Assistant Court (FAC)

Monday, the 27th day of July, 2026

O.S.No. 3410 of 2025

(CNR.No.TNCH01 - 013100 - 2025)

M.Mari,

W/o. Mr.K.Munusamy

....Plaintiff

-Vs-

1. The Commissioner,
Greater Chennai Corporation,
Ribbon Building, Poonamallee High Road,
Chennai – 600 003.

2. The Registrar of Births and Deaths,
Division 99, Zone 8,
Greater Chennai Corporation,
Ripon Building, Poonamallee High Road,
Chennai – 600 003.

3. Zonal Health Officer,
Zone – VIII,
Greater Chennai Corporation,
36-B, Pulla Avenue, Shenoy Nagar,
Chennai – 600 030.

....Defendants

This suit is coming on 20.07.2026 for final hearing before me in the presence of M/s.Kamachi D, K.R.Prathap Chander, Bharath P, Jheroshlin M, Counsel for the plaintiff, and M/s.S.Santosh, Counsel for the 1st to 3rd defendants and the defendants were called and set exparte and after hearing the plaintiff side arguments and upon perusal of case records and this suit having stood over for consideration till this day, this court delivered the following:-

JUDGMENT

This suit filed under Order VII Rule 1 of CPC, a) by issuing Mandatory Injunction directing the Defendants to correct the father's name of plaintiff's deceased father in law name as P.Kaniyappan instead of Subramani in Col.No.8 of the Death Certificate dt.21.10.2022 issued by the Defendants -2& 3 bearing No.D55545153765334391/2022 and for cost.

2. Brief averments made in the plaint is as follows:

The plaintiff married K. Munusamy on 12.06.1992. They have two sons, namely M. Tamilselvan and M. Vignesh. The plaintiff's husband is the son of P. Kaniyappan and Muniyammal. The said P. Kaniyappan died on 09.02.1994 leaving behind his wife and children. The plaintiff's mother-in-law namely Muniyammal executed a registered Settlement Deed dated 07.05.2009 in favour of the plaintiff's husband in respect of the suit property. The plaintiff's husband, K. Munusamy, died on 21.09.2022 due to liver failure while undergoing treatment at Be Well Hospital,

Chennai. Based on the information furnished by the hospital, the defendants registered the death and issued a death certificate dated 21.10.2022. Subsequently, while applying for a legal heir certificate to deal with the property inherited through her husband, the plaintiff noticed that the father's name of the deceased was wrongly entered as "Subramani" instead of "P. Kaniyappan" in the death certificate. The mistake occurred due to an erroneous entry made by the hospital in its Death Register, though the Medical Certificate of Cause of Death correctly mentioned the father's name as P. Kaniyappan. The plaintiff submitted representations along with supporting documents, including Aadhaar Card, Voter ID, Family Card, School Records, Marriage Invitation, Legal Heir Certificate of P. Kaniyappan, Settlement Deed and other records, all of which consistently show the father's name as P. Kaniyappan. The hospital subsequently corrected its Death Register and issued a corrected copy. Despite production of the corrected records, the defendants refused to rectify the father's name in the death certificate by reply dated 09.04.2025. Hence, the plaintiff has filed the present suit seeking a Mandatory Injunction directing the defendants to correct the father's name of the deceased K. Munusamy in Column No.8 of the death certificate dated 21.10.2022 by substituting "P. Kaniyappan" in place of "Subramani".

3. After service of summon, the defendants appeared through their counsel, and inspite of sufficient opportunity is given, the defendants 1st to 3rd did not come forward to file their written statement, hence they were called absent and set exparte. Then the exparte evidence was taken.

4. The point for consideration:-

Whether the plaintiff is entitled to the relief as prayed for?

5.Points:-

i) The case of the Plaintiff is that, the plaintiff is the wife of deceased K. Munusamy who is son of P. Kaniyappan and Muniyammal, the plaintiff has filed this suit seeking a mandatory injunction to rectify an error in her deceased husband's Death Certificate, where his father's name was erroneously recorded as "Subramani" instead of "P. Kaniyappan."

ii) As per Section 35 of the Indian Evidence Act, official records having a presumption of correctness. Therefore, pursuant to **Section 101**, the burden rested on the Plaintiff to prove that a factual error had occurred. To discharge this burden, the Plaintiff has marked various official documents namely Exhibits A1–A13 including a registered Settlement Deed, Ration Card, Identity Documents, and the Hospital Medical Certificate.

- **Ex.A3 – Settlement Deed:** This registered document proves that, the plaintiffs father-in-law name is Kaniyappan/
- **Ex.A11 to Ex.A14 – Identity Documents:** These official identity documents of the Plaintiff and her deceased husband substantiate the Plaintiff's claim that the father-in-law name is Kaniyappan.
- **Ex.A7 – Death Certificate:** This is the impugned public document relating to the death of Late Mr. Munusamy. The Plaintiff has challenged the

erroneous entries contained therein, particularly concerning the name of the deceased's father, and seeks rectification in accordance with the true and correct particulars established by the documentary evidence on record.

All above documents proving that the deceased's father was indeed P. Kaniyappan. Further those documents prove that the entry in the death certificate of deceased, who's father name has been wrongly noted as "Subramani" which is a bonafide error resulting from hospital reporting. The defendants also not comforted to contest the case and remained set expate. Here the important point is that the issuing authority of death certificate namely defendants also not objected the plaintiff's claim and therefore the defendants not disputed the plaintiff's case. As per the above discussed facts the plaintiff has proved his case. Hence the suit is allowed.

In the result, the suit is decreed. The Defendants 2 and 3 are hereby directed, by way of Mandatory Injunction, to rectify the father's name of the deceased K. Munusamy in Column No.8 of the Death Certificate dated 21.10.2022, by substituting "P. Kaniyappan" in place of "Subramani", and to issue a corrected Death Certificate to the Plaintiff within a period of 30 days from the date of receipt of a copy of this judgment. No cost.

Dictated by me to stenographer directly, computerized by her, corrected and pronounced by me in the open court, this 27th day of July, 2026.

**VII Assistant Judge (FAC),
City Civil Court, Chennai.**

Plaintiff's side witness:

PW1: Mrs.M.Mari

Plaintiff's side Exhibits:

Ex.A1	09.06.1981	School Mark Sheet of deceased K.Munusamy issued by ATM School, Agaraham, Madra – 600 076 (compared with Original)
Ex.A2	12.06.1992	Marriage Inviation of plaintiff and K.Munusamy (Compared with Original)
Ex.A3	07.05.2009	Settlement Deed registered as Doc.No.1309/2009, SRO Villivakkam executed by Muniyammal infavour of K.Munusamy (Certified Copy)
Ex.A4	31.01.2012	RC Book of vehicle owned by K.Munusamy (compared with original)
Ex.A5	21.09.2022	Medical Certificate of death issued by be well hospital in respect of deceased K.Munusamy (compared with original)
Ex.A6	22.09.2022	Burial ground report of death pertaining K.Munusamy to deceased (Original Produced for verification (compared with original)
Ex.A7	21.10.2022	Death certificate issued by 2 nd defendant pertaining to K.Munusamy (Online copy)
Ex.A8	---	Certificate in respect of correcting the father's name of K.Munusamy issued by the Be Well Hospital (Office Copy)
Ex.A9	09.05.2025	Be well Hospital Corrected the entry in its Death register in respect of K.Munusamy father's name (xerox copy)

Ex.A10	09.04.2025	Reply given by the 3 rd defendant (Office Copy)
Ex.A11	--	Voter ID card of deceased K.Munusamy (Original produced for verification) (Compared with Original)
Ex.A12	--	Aadhar card of deceased K.Munusamy (Original produced for verification) (Compared with Original)
Ex.A13	--	Ration card of the plaintiff (Original produced for verification) (Compared with Original)
Ex.A14	--	Aadhar card of the plaintiff (Original produced for verification) (Compared with Original)

Defendant's side Witness & Exhibits :- Nil.

**VII Assistant Judge (FAC),
City Civil Court, Chennai.**

Draft/Fair Judgment
in
O.S. No.3410 of 2025
Dated: 27.07.2026
VII Assistant City Civil
Court, Chennai.