

W.P.No.12582 of 2021
and W.P.(MD) No.10147 of 2021

THE HON'BLE CHIEF JUSTICE
and
SENTHILKUMAR RAMAMOORTHY, J.

(made by the Hon'ble Chief Justice)

The grievance of the petitioner in this public interest litigation is that several Covid deaths in the State were not accurately recorded and, at any rate, the death certificates do not always reflect the cause of death being Covid-19, despite the pandemic being the principal cause of death.

2. The State has filed a report.

3. The Union today relies on an order dated June 30, 2021 passed in W.P.(Civil) Nos.554 and 539 of 2021 (*Reepak Kansal vs. Union of India*) where the Supreme Court directed the State Governments to issue some form of official document, indicating that Covid-19 was the cause of the death, to the family members of those who died as a result of the pandemic. The observation in the order is that it is the duty of every authority to issue an accurate death

certificate stating the correct and accurate cause of death “so that the family members of the deceased who died due to Covid-19 may not face any difficulty in getting the benefits of the schemes that may be declared by the Government...”.

4. Indeed, when the writ petition was received on June 11, 2021, this Court recorded as follows at paragraph 4 of the order passed on such date:

“4. Apart from the fact that the accurate reporting or recording of deaths would help in studies being undertaken to deal with a pandemic of this nature in future, the immediate concern in some cases is that the relief that the family of a person who died due to Covid-19 is otherwise entitled to may not be available unless the death certificate attributes the cause of death to Covid-19.”.

5. In view of the Supreme Court direction as recorded above, the State now has to take appropriate steps to ensure that the heirs or family members of every person who died as a result of Covid-19 are issued an appropriate document that will entitle the suitable person to claim any benefit that has been or may be announced for the relevant

person having suffered death due to Covid-19.

6. Let this matter now appear ten weeks hence. If the issue is taken up and resolved before the Supreme Court, it will be open to the parties to mention this petition earlier so that the matter may be disposed of.

5. List on 16.09.2021.

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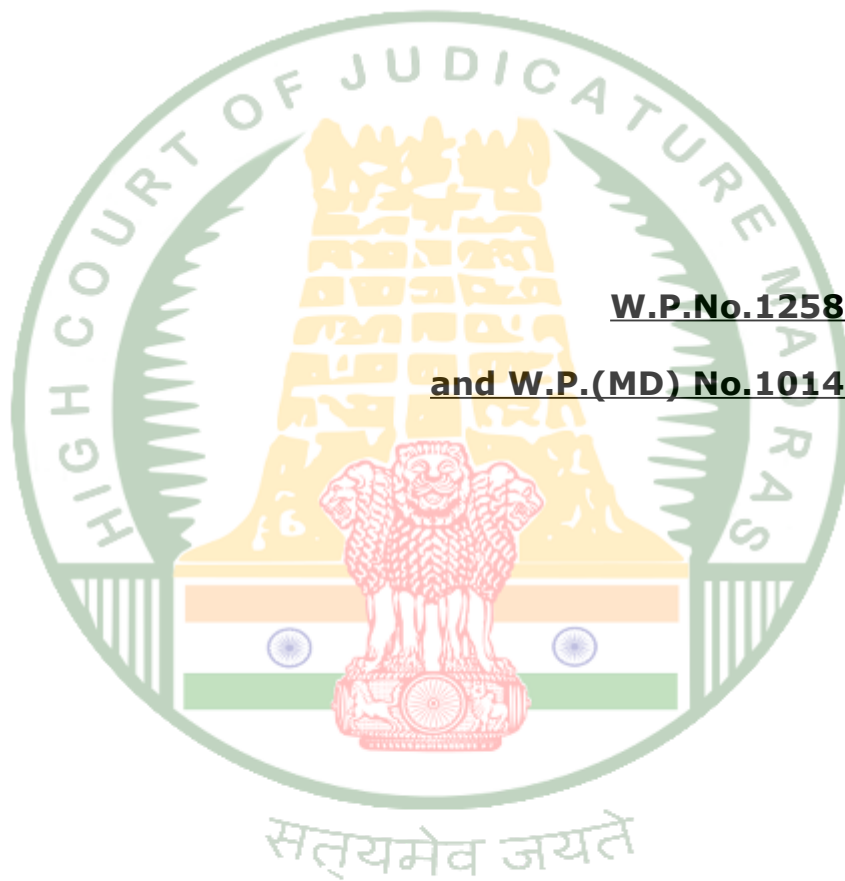
(S.B., CJ.) (S.K.R., J.)
08.07.2021

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