

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE V. CHITAMBARESH

FRIDAY, THE 25TH DAY OF SEPTEMBER 2015/3RD ASWINA, 1937

WP(C).No. 28242 of 2015 (E)

PETITIONER:

ABIN VARGHESE, AGED 22 YEARS,
S/O. VARGHESE, KONOORAN HOUSE,
NEELEESWARAM, KALADY,
MANIKYAMANGALAM, ERNAKULAM 683 574.

BY ADVS. SRI. R. SUDHISH
SMT. M. MANJU

RESPONDENTS:

1. ANGAMALY MUNICIPALITY,
REPRESENTED BY ITS SECRETARY,
MUNICIPAL OFFICE, ANGAMALY,
ERNAKULAM 683 501.
2. THE REGISTRAR OF BIRTHS AND DEATHS,
OFFICE OF THE REGISTRAR OF BIRTHS AND DEATHS,
ANGAMALY MUNICIPALITY, ANGAMALY,
ERNAKULAM 683 501.

BY SRI. V. M. KURIAN, SC, ANGAMALY MUNICIPALITY
BY GOVERNMENT PLEADER SMT. K. A. SANJEETHA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

- EXHIBIT P1 : COPY OF THE BIRTH CERTIFICATE OF THE PETITIONER ISSUED BY THE RESPONDENTS' OFFICE DATED 13.05.2015.
- EXHIBIT P2 : COPY OF THE ELECTORAL IDENTITY CARD OF THE PETITIONER.
- EXHIBIT P3 : COPY OF THE ADHAR CARD OF THE PETITIONER.
- EXHIBIT P4 : COPY OF THE PAN CARD OF THE PETITIONER.
- EXHIBIT P5 : COPY OF THE SECONDARY SCHOOL LEAVING CERTIFICATE OF THE PETITIONER DATED 03.06.2008.
- EXHIBIT P6 : COPY OF THE APPLICATION DATED 07.09.2015 SUBMITTED BY THE PETITIONER'S FATHER BEFORE THE 2ND RESPONDENT.

RESPONDENT(S) EXHIBITS : NIL

/TRUE COPY/

P.A. TO JUDGE.

V. CHITAMBARESH, J

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Dated this the 25th day of September, 2015

JUDGMENT

Ext.P2 Electoral Identity Card, Ext.P2 Adhar Card, Ext.P4 Pan Card and Ext.P5 Secondary School Leaving Certificate uniformly shows that the petitioner is a 'male'. The entry in Ext.P1 birth certificate issued by the first respondent on the basis of the register of the hospital where the petitioner was born as 'female' is obviously a mistake.

2. The first respondent is willing to correct the birth certificate provided the petitioner produces a certificate from the Village Officer, two Gazetted Officers, an affidavit sworn to before a Notary and the original of Ext.P1 birth certificate. The petitioner shall also produce the register from Angamaly Little Flower Hospital where the petitioner was born even though it wrongly described the child as 'female'.

3. The first respondent shall on the basis of Exts.P2, P3, P4 and P5 documents issue a corrected birth certificate to the

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petitioner even if all the documents sought by them are not able to be produced by the petitioner in the peculiar circumstances of the case. The needful shall be done within a period of one month from the date of receipt of a copy of this judgment.

The Writ Petition is disposed of.

**V. CHITAMBARESH
JUDGE**

ncd