

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

MONDAY, THE 26TH DAY OF OCTOBER 2015/4TH KARTHIKA, 1937

WP(C).No. 31142 of 2015 (P)

PETITIONER(S):

VALSAKUMARAN.T., AGED 65 YEARS
S/O KUNHIRAMAN NAIR, 'SNEHAM',
NIRMALAGIRI PO - 670 701
KANNUR DISTRICT

BY ADVS.SRI.M.SASINDRAN
SRI.V.VENUGOPAL

RESPONDENT(S):

1. THE KOOTHUPARAMBA MUNICIPALITY
P.O KOOTHUPARAMBA-670 643
KANNUR DISTRICT, REPRESENTED BY ITS SECRETARY
2. THE REGISTRAR OF BIRTH AND DEATH
KOOTHUPARAMBA MUNICIPALITY, P.O KOOTHUPARAMBA -670 643
KANNUR DISTRICT

R1-R2 BY ADV. SMT.BINDUMOL JOSEPH
R1-R2 BY ADV. SRI.B.S.SYAMANTHAK

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
26-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S)' EXHIBITS

EXT.P1: A TRUE COPY OF THE BIRTH CERTIFICATE ISSUED TO THE PETITIONER'S DAUGHTER

EXT.P2: A TRUE COPY OF THE CERTIFICATE OF SECONDARY EXAMINATION, ISSUED TO THE PETITIONER'S DAUGHTER . SCHOOL CERTIFICATE EXAMINATION , ISSUED TO THE PETITIONER'S DAUGHTER, TRANSFER RECEIPTS FROM THE PROVIDENCE COLLEGE CALICUT ISSUED TO THE PETITIONER'S DAUGHTER. THE PASSPORT ISSUED TO THE PETITIONERS DAUGHTER

EXT.P2(A): A TRUE COPY OF THE SCHOOLK CERTIFICAE EXAMINATION, ISSUED TO THE PETITIONER'S DAUGHTER

EXT.P2(B): A TRUE COPY OF THE TRANSFER RECEIPTS, FROM THE PROVIDENCE COLLEGE CALICUT ISSUED TO THE PETITIONER'S DAUGHTER

EXT.P2(C): A TRUE COPY OF THE PASSPORT ISSUED TO THE PETITIONER'S DAUGHTER

EXT.P3: A TRUE COPY OF THE BIRTH CERTIFICATE OF THE PETITIONER'S DAUGHTER'S CHILD

EXT.P3(A): A TRUE COPY OF THE BIRTH CERTIFICATE OF THE PETITIONER'S DAUGHTER'S CHILD

EXT.P3(B): A TRUE COPY OF THE DRIVING LICENSE ISSUED TO THE PETITIONER'S DAUGHTER

EXT.P4: A TRUE COPY OF THE APPLICATION SUBMITTED BY THE PETITIONER ON 11/8/15

EXT.P5: A TRUE COPY OF THE COMMUNICATION DT. 22/8/15 ISSUED BY THE 2ND RESPONDENT

EXT.P6: A TRUE COPY OF THE CERTIFICATE ISSUED BY THE DOCTOR IN KALYAN LYING IN HOSPITAL, KOOTHUPARAMBA 25/8/15

EXT.P7: A TRUE COPY OF THE APPLICATION SUBMITTED ON 14/9/15

EXT.P8: A TRUE COPY OF THE DECLARATION DT. 12/9/15

EXT.P8(A): A TRUE COPY OF THE DECLARATION OF PARVATHIKUTTY. P.K

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: 2 :

EXT.P8(B): A TRUE COPY OF THE AFFIDAVIT SUBMITTED BY PETITIONER AND HIS
WIFE

EXT.P9: A TRUE COPY OF THE COMMUNICATION DT. 28/9/15 ISSUED BY THE 2ND
RESPONDENT

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.S. TO JUDGE.

V.CHITAMBARESH, J.

W.P (C) No.31142 of 2015

Dated this the 26th day of October, 2015

J U D G M E N T

The petitioner asserts that his daughter - Vidhu Chembum Keezhidam - was born at 11.55 p.m. on 29.7.1978. Exts.P2 and P2(a) certificates, Ext.P2(b) receipt and Ext.P2(c) passport shows the date of birth as 29.7.1978 only.

2. Ext.P6 letter of the hospital shows that the exact time of birth of the daughter of the petitioner cannot be verified. This is because the case sheets during that period of time have not been retained.

3. The daughter of the petitioner does not gain anything by increasing her age by one day. The letter of the doctor does not specify as to whether the daughter of the petitioner was born on 29.7.1978 or 30.7.1978.

4. No prejudice would be caused by directing the birth certificate to be corrected accordingly. Ext.P1 birth certificate is quashed in so far as it relates to the entry of the date of birth of the daughter of the petitioner. The second respondent is

directed to issue a fresh birth certificate to the daughter of the petitioner showing the date of birth as 29.7.1978. The same 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.

Sd/-
V.CHITAMBARESH,
Judge.

nj/27.10.15