

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.01.2016

CORAM

THE HONOURABLE MR.JUSTICE M.M. SUNDRESH

W.P.No.40597 of 2015

and

M.P.No.1 of 2015

K.V.Vijaya Prasad
S/o.K.S.Venimadhavan,
No.29/18, Hari Shiva Residency,
V.O.C.Street, Venkataraman Nagar,
Korattur, Chennai 600 080 ... Petitioner

- Vs -

- 1 The Registrar of Birth and
Death The Chennai Corporation,
Rippon Building, Chennai-600 003
- 2 The Zonal Officer
Zone No.V,
Royapuram, No.62. Basin Bridge Road
Old Washermenpet, Chennai-600 021
- 3 Director of Public Health
& Preventive Medicine and Chief Registrar of
Births & Deaths,
Tamilnadu, DMS Campus No.359
Anna Salai Chennai-600 005
- 4 The Registrar General India
Ministry of Home Affairs
Government of India
V.S. Division,
West Block I
R.K. Puram, New Delhi-110066 ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of mandamus, directing the 1st to 3rd respondents to consider the Application in Form I-A dated 7.8.2015 submitted under Rule 5(1) read with Section 8 of the Registration of Birth and Death Act 1969 and effect appropriate incorporation and substitution in the entries

in the Original Birth Certificate bearing Registration No.2013/05 61A/000529/0 dated 22.01.2013 issued by the 2nd respondent and grant an extract of the same in accordance with law within a time frame as may be fixed by this Honourable Court.

For Petitioner : Mr.K.Chozhan

For Respondents1 & 2: Mr.P.V.Selvakumar

For Respondent-3 : Mr.R.A.S.Senthilvel,
Additional Government Pleader

For Respondent-4 : Mr.J.Madanagopal

ORDER

The petitioner has come forward by way of filing this Writ Petition seeking for a direction to the 1st to 3rd respondents to consider the Application in Form I-A dated 7.8.2015 submitted under Rule 5(1) read with Section 8 of the Registration of Birth and Death Act, 1969 and effect appropriate incorporation and substitution of the entries in the Original Birth Certificate bearing Registration No.2013/05 61A/000529/0, dated 22.01.2013, issued by the 2nd respondent.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader for the respondent No. 3 and the learned counsel for the respondent Nos. 1, 2 and 4.

3. When the matter is taken for hearing, the learned counsel appearing for the respondents submitted that a duly registered adoption deed is sufficient for changing entries in the birth record as per the letter of the Government of India, dated 14.01.2016.

3. A copy of the communication dated 14.01.2016, has also been given to the learned counsel for the petitioner. The learned counsel for the petitioner submitted that in view of the compliance of the same, no further orders are required.

4. Considering the said submission, the Writ Petition stands disposed of, permitting the petitioner to approach the 2nd respondent along with relevant documents, within a period of one week from the date of receipt of a copy of this order and thereafter, on receipt of the said documents, the 2nd respondent shall consider the same and take appropriate action within a further period of two weeks.

The writ petition is disposed of with the above direction. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

- 1 The Registrar of Birth and
Death The Chennai Corporation,
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Government of India
V.S. Division, West Block I
R.K. Puram, New Delhi-110066

+1cc to Mr.P.V.Selvakumar, Advocate, S.R.No.5362

+1cc to Mr.J.Madanagopal rao, Advocate, S.R.No.4717

+1cc to Mr.K.Chozhan, Advocate S.R.No.4708

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tej (CO)
srg (01/02/2016)