

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.6165 of 2016

S.Lakshmanasamy

.. Petitioner-in-person

Vs.

1. The Inspector General of
Registration, Office of
the I.G. of Registration,
Santhome High Road,
Santhome, Chennai.

2. The Sub-Registrar,
Sub-Registrar Office,
Ingur Road, Chennimalai,
Erode District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents herein to amend the petitioner's date of birth as 16.08.1978 instead of 16.02.1978 in the Marriage Registration Certificate bearing Reg.No.35 of 2008 on the file of the second respondent herein, within time frame as may be fixed by this Court.

For Petitioner : Mr.S.Lakshmanasamy,
petitioner-in-person

For Respondents : Mr.S.Pattabiraman,
Govt. Advocate

ORDER

The petitioner has filed this Writ Petition praying for issuance of a Writ of Mandamus to direct the respondents herein to amend the petitioner's date of birth as 16.08.1978 instead of

16.02.1978 in the petitioner's Marriage Registration Certificate bearing Reg.No.35 of 2008 on the file of the second respondent herein, within time frame as may be fixed by this Court.

2. It is case of the petitioner-in-person as projected in the affidavit filed in support of the Writ Petition that he is an Advocate. His date of birth is mentioned as 16.02.1978 at the time of registering his marriage based on his school records, as he was not having the Birth Certificate at that time. It is his further case that his parents are agriculturists and illiterates, due to which, they have not obtained the petitioner's Birth Certificate. The petitioner's father applied for the petitioner's Birth Certificate for the above date 16.02.1978 and on enquiry by the authorities, they found that his date of birth has not been registered and when made search in Erode Hospital where he was born, it was learnt that his mother's discharge summary issued by the Hospital in 1978 showed that the petitioner's date of birth is 16.08.1978 and not 16.02.1978, based on which, when verified with the concerned Municipal Corporation office, the petitioner's date of birth is registered on 18.08.1978 itself. The above mistake has crept in due to the illiteracy of his parents and the copy of the Birth Certificate issued by the competent authority and the Certificate issued by the Hospital, are enclosed by the petitioner to the respondents to get the corrected Marriage Registration Certificate. He gave representation, dated 21.01.2016 to the first respondent through the second respondent, who has to forward the same to the first respondent. The second respondent sent his report to the first respondent. Till date, no order is passed on the said representation. Hence, the petitioner has filed this Writ Petition for the above said relief.

3. Heard both sides.

4. As seen from the copy of the Birth Certificate issued by the Municipal authority, it is clear that the petitioner's date of birth is 16.08.1978. The petitioner (party-in-person) submitted that in W.P.No.6164 of 2016, order was passed today (26.02.2016), wherein, this Court followed the earlier order of this Court in W.P.No.23716 of 2014, dated 03.03.2015 and issued directions. Accordingly, this Writ Petition is also disposed of, and the respondents are directed to consider the case of the petitioner by issuing notice to the petitioner to produce all original records, namely his Birth Certificate and other records for effecting the change with regard to the date of birth of the petitioner in his Marriage Registration Certificate by

correcting the date of birth and the above exercise shall be done by the respondents within a period of two weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

cs

Copy to

1. The Inspector General of Registration,
Office of the I.G. of Registration,
Santhome High Road,
Santhome, Chennai.
2. The Sub-Registrar, Sub-Registrar Office,
Ingur Road, Chennimalai, Erode District.

+1cc to Mr.S. Lakshmanasamy, Advocate, S.R.No.12488

+1cc to the Government Pleader, S.R.No.12956

TEJ(CO)
EU(08/03/2016)

W.P.No.6165 of 2016

सत्यमेव जयते

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