



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2016

CORAM

THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.P. (MD) No.10703 of 2016

T.Manikandan

.. Petitioner

vs.

The Tahsildar,
Tahsildar Office,
Papanasam Taluk,
Thanjavur District.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the Respondent to consider the Petitioner's representation dated 25.05.2016 for issuing the Birth Certificate with his mother name as Malarvizhi instead of Malar and also include the Petitioner name in the Birth Certificate.

For Petitioner : Mrs.M.Rajeswari
for Mr.K.Palaniswamy

For Respondent : Mr.S.Kumar
Additional Government Pleader

ORDER

Heard the Learned counsel for the Petitioner and the Learned Additional Government Pleader appearing for the Respondent.

2.By consent, the writ petition is taken up for final disposal.

3.No counter is filed by the Respondent.

4.According to the Petitioner, he wants to go to a foreign country in connection with a job and hence, he applied for a Birth Certificate before the Sub-Registrar's office at Papanasam and the same was issued to him. Further, he had applied for obtaining passport through on line to the Passport Authority and the Passport Authority gave the first appointment on 30.03.2016 and he appeared on the same date at the respective office.

5.As a matter of fact, his certificates were verified and finally it was found that his mother's name was mentioned as 'Malar' instead of 'Malarvizhi' and also there is no entry of his name as T.Manikandan in his Birth Certificate and all other certificates show that his mother's name as 'Malarvizhi'. In fact,



the Passport Authorities asked him to change his mother's name as 'Malarvizhi' instead of 'Malar' and also to enter his name in the Birth Certificate. Hence, the Petitioner applied before the Tahsildar, Papanasam Taluk, Thanjavur District for correction of his mother's name in his Birth Certificate on 20.05.2016. Thereafter, he visited the Respondent's office on numerous occasions in this regard. However, the Respondent had not replied in a fruitful manner during his visits in person. Hence, he has filed the present writ petition seeking for passing of an order by this Court in directing the Respondents to consider his representation, dated 20.05.2016, for issuing Birth Certificate with his mother's name as 'Malarvizhi' instead of 'Malar' and also to include his name in the Birth Certificate.

6.It is to be noted that the Petitioner on 07.04.2016, had addressed a communication/letter to the Respondent/Tahsildar, Papanasam Taluk, Thanjavur District, in regard to correction of the name in Birth Certificate and name Register. Also, he made a representation on 20.05.2016, to the Respondent seeking for change of his mother's name as 'Malarvizhi', since according to him, his mother's name was wrongly mentioned and further, he had prayed for his name be registered as T.Manikandan.

7.At this stage, this Court, without dealing with the merits and contents of the representation of the Petitioner, dated 07.04.2016 and 20.05.2016 addressed to the Respondent, simpliciter, directs the Respondent to look into the representation of the Petitioner, dated 20.05.2016 and to dispose of the same within a period of two weeks from the date of receipt of a copy of this order, by passing a reasoned, speaking order, on merits (ofcourse, after providing necessary opportunity to the Petitioner and others concerned, if any, by following the Principles of Natural Justice). In case, if the Respondent opines that he is not the competent/proper authority to consider the plea of the Petitioner in his representations dated 07.04.2016 and 20.05.2016, then, it is open to the Respondent to pass necessary orders on the said representation of the Petitioner by specifying the Forum before which the Petitioner can seek redressal of his grievance in the manner known to Law and in accordance with Law.

8.With the aforesaid directions and observations, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-I)

/True Copy/



To:

The Tahsildar,
Tahsildar Office,
Papanasam Taluk,
Thanjavur District.

+1cc to Mr.K.PALANISAMY, Advocate Sr.No.37790

+1cc to Spl.Government Pleader Sr.No. 37915

RJ2

AA/SKS-RR/08.08.2016/3p-4c

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