



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.3890 of 2016

N.N.Ramesh

... Petitioner

Vs.

1.Dindigul Corporation
through its Commissioner/Birth and Death,
Office of Commissionerate,
Dindigul Corporation.

2.The Tahsildar,
Dindigul East,
Dindigul.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to issue a fresh Birth Certificate after amending the name of the father and mother of child, who was born on 20.03.2007 in which the child was adopted by Petitioner and entering the petitioner's name N.N.Ramesh and the petitioner's wife name Baby in the column of the father and mother in Birth Certificate of the child and also to change the petitioner's address in address column in birth certificate issued by the 1st respondent dated 28.12.2007 in Reg.No.936/2008.

For Petitioner	: Mr.S.Balaji
For Respondents	: Mr.J.Lawrance for R-1 Mr.N.S.Karthikeyan Addl. Govt. Pleader for R-2

ORDER

According to the petitioner, he is said to have adopted a male child by name 'Saravanan' on 15.04.2007 from one Venkatachalapathy and Kuppumani and the same was also registered in the Office of the Sub-Registrar, Nagal Nayakanpatti, Dindigul. Subsequently, they have also filed a suit in O.S.No.455 of 2012 for declaration, declaring that the petitioner and his wife are father and mother of the above said adoptive child Saravanan. The suit was decreed on 28.04.2014. Thereafter, he applied before the first respondent to include his name and his wife's name as father



and mother in the said Saravanan's birth certificate, dated 29.03.2007, by deleting the name of his biological parents. He also enclosed a copy of the decree passed in O.S.No.455 of 2012. Since no order has been passed till date, the present writ petition has been filed.

WEB COPY

2.The learned counsel for the petitioner has relied upon two circulars, issued by the Government of India, Ministry of Home Affairs, Office of the Registrar General, V.S.Division, West Block-I, K.P.Puram, New Delhi, India, dated 15.05.2015 and 12.03.2012, relating to making entries in the Birth Certificate in the cases of adoption. According to the learned counsel for the petitioner, as per the above circulars, issued by the Registrar General, India, name of the adopted parents should be included in the Birth Certificate of the child.

3.In the above circumstances, without going into the merits of the case, the first respondent is directed to consider the petitioner's representation in the light of above circulars, dated 15.05.2015 and 12.03.2012 and pass orders on merits, within a period of 12 weeks from the date of receipt of a copy of this order.

4.Accordingly, this writ petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1.Commissioner/Birth and Death,
Dindigul Corporation,
Office of Commissionerate,
Dindigul Corporation.

2.The Tahsildar, Dindigul East, Dindigul.

+3 CC to Mr.S.BALAJI, Advocate, SR No.61898

+1 CC to Mr.J.LAWRANCE, Advocate, SR No.62159

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No.62955

W.P(MD)No.3890 of 2016
20.10.2016

vs

SH/SKS-PR:08.11.2016:2P/8C