



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:10.11.2016
CORAM:

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THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.3895 of 2016
and
W.M.P. (MD) .No.3479 of 2016

S.Ramalakshmi

... Petitioner

Vs.

1. The Commissioner,
Madurai Corporation,
Aringar Anna Maligai,
Melur Road,
Tallakulam,
Madurai-2.
2. The Statistical Officer,
Madurai Corporation,
Aringar Anna Maligai,
Melur Road,
Tallakulam,
Madurai-2.

... Respondents

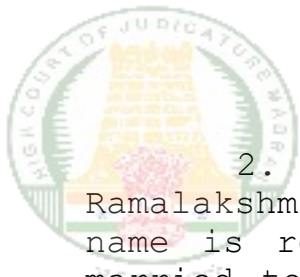
Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records from the first respondent relating to the impugned order passed by the first respondent in file No.115/030936 dated 30.11.2014 and quash the same and consequently, direct the first respondent to correct the mistake in the name of the petitioner from the name of Vijaya to the name of Ramalakshmi in the birth certificate of the petitioner's daughter viz., Aparna which was registered in registration No.181, dated 03.06.1999 on the file of the first respondent within the time frame fixed by this Court.

For Petitioner : Mr.P.Senthur Pandian

For Respondents : Mr.R.Prabu Ramachandran

ORDER

This Writ Petition has been filed seeking to quash the order passed by the first respondent in File No.115/030936 dated 30.11.2014 and consequently, direct the first respondent to correct the mistake in the name of the petitioner from the name of Vijaya to the name of Ramalakshmi in the birth certificate of the petitioner's daughter viz., Aparna which was registered in Registration No.181, dated 03.06.1999.



2. According to the petitioner, her name is Vijaya @ Ramalakshmi, but in the school records and other documents, the name is recorded as Ramalakshmi and in the year 1998, she got married to one Sundararajan. The same was also registered by the Marriage Registrar of Madurai (South) on 27.05.1998, wherein also the name of the petitioner is given as Vijaya @ Ramalakshmi. Subsequently, a daughter was born to her. While registering the daughter's birth, the petitioner name is given as Vijaya without giving name Ramalakshmi. Subsequently, the petitioner wants to apply for passport, while applying the passport, she came to know that the birth certificate issued in the name Vijaya. In the above circumstances, she filed an application before the first respondent to correct the mistake and to give a certificate as Ramalakshmi. Subsequently, an enquiry was conducted and the petitioner was directed to produce the records to show that the petitioner's name is Ramalakshmi. Pursuant to the enquiry, she produced all the school certificates, the marriage registration certificate and also filed an affidavit to that effect. The first respondent, without considering all these aspects, rejected the application on the ground that the name of the petitioner totally differs, hence, the request of the petitioner cannot be considered. Challenging the same, the present writ petition has been filed.

3. The learned counsel for the petitioner would submit that in the school records and other records, the petitioner name is only given as Ramalakshmi and in the marriage certificate also the name was given as Vijaya @ Ramalakshmi. In the circumstances, the first respondent, without considering all the documents produced by the petitioner, rejected her application on the ground that the name is totally differs.

4. Taking into consideration of the facts and circumstances of the case, the first respondent is directed to consider the petitioner's application along with the certificates produced by the petitioner that her name is Ramalakshmi and pass suitable orders within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected Miscellaneous Petition is closed.

5. With the above direction, the writ petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/
Assistant Registrar(RTI)

/TRUE COPY/



To

1. The Commissioner,
Madurai Corporation,
Aringar Anna Maligai,
Melur Road,
Tallakulam,
Madurai-2.

2. The Statistical Officer,
Madurai Corporation,
Aringar Anna Maligai,
Melur Road,
Tallakulam,
Madurai-2.

+1cc to M/s.P.Senthur Pandian, Advocate, in SR No.67975.

W.P (MD) No.3895 of 2016
10.11.2016

akv

msm/ss3/sar3/24.11.16/p3/4c