



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.08.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.13761 of 2017

M.Birasnav

... Petitioner

-vs-

Birth and Death Registrar / The Commissioner,
Sattur Municipality,
Sattur, Virudhunagar District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent herein to consider the representation of the petitioner dated 27.05.2017 submitted to the respondent and to make necessary correction in the date of birth as 04.03.1981 instead of 11.11.1981 in the petitioner's son M.Birasnav Birth Certificate issued by the respondent.

For Petitioner : Mr.P.Santhoshkumar
For Respondent : Mr.M.Kannan

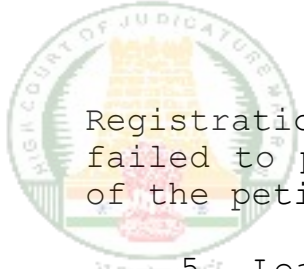
O R D E R

This writ petition has been filed, seeking to direct the respondent herein to consider the representation of the petitioner dated 27.05.2017, submitted to the respondent and to make necessary correction in the date of birth as 04.03.1981 instead of 11.11.1981 in the Birth Certificate issued by the respondent in the name of the petitioner's son by name M.Birasnav.

2. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondent.

3. The case of the petitioner is that though the petitioner has sought for correction of his son's date of birth in the Birth Certificate issued by the respondent by way of filing a representation dated 27.05.2017, there is no response whatsoever to the said representation. Hence, the petitioner is before this Court with the above prayer.

4. The learned counsel appearing for the respondent submitted that the petitioner has not fulfilled Rule 11(4) of the Tamil Nadu



Registration of Births and Deaths Rules, 2000 (in short "the Act"), failed to produce necessary documents and hence, the representation of the petitioner is kept pending.

5. Learned counsel for the petitioner in turn has submitted that the petitioner would comply with the mandatory requirements, as contemplated under Rule 11(4) of the Tamil Nadu Registration of Births and Deaths Rules, 2000 within two weeks and produce necessary witnesses before the competent authority to prove his genuine demand.

6. In view of the above submission, this writ petition is disposed of with a direction to the petitioner to produce suitable witnesses and other related documentary evidence, as mandated under Rule 11(4) of the Act before the respondent within a period of two weeks from the date of receipt of a copy of this order and on such production, the respondent shall pass appropriate orders thereon on merits and in accordance with law as expeditiously as possibly thereafter. No costs.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To:

Birth and Death Registrar / The Commissioner,
Sattur Municipality, Sattur,
Virudhunagar District.

+ 1 CC TO Mr.M.KANNAN, ADVOCATE IN SR No. 70834
+ 1 CC TO M/s.S.MAHALAKSHMI, ADVOCATE IN SR No. 71077

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TE/JC/SAR-I : 16/08/2017 : 2P/4C

W.P(MD)No.13761 of 2017
07.08.2017