



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 20.11.2017

CORAM:

THE HON'BLE Mr.JUSTICE R.MAHADEVAN

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W.P (MD) No.21318 of 2017

A.Ganesan

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Thashildar,
Eask Taluk Office,
Madurai East Taluk,
Y.Othakadai,
Madurai Distirct.

3.The Sub - Registrar,
SRO Office,
Thamaraipatti,
Chittampatti,
Madurai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to correct the date of petitioner's daughter namely G.Vijayapriya, in the register as 08.11.1994 instead of 06.11.1994 and issue fresh birth certificate by considering the petitioner's representation dated 24.06.2017.

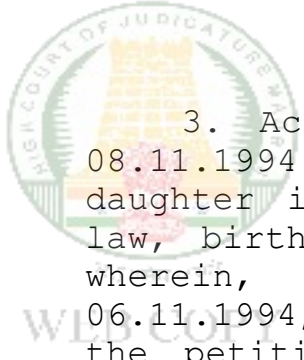
For Petitioner : Mr.K.Selvam

For Respondents : Mr.T.S.Mohamed Mohideen
Additional Government Pleader

O R D E R

By consent, this writ petition is taken up for final disposal at the stage of admission itself.

2. This writ petition has been filed seeking a writ of mandamus, to direct the second respondent to correct the date of birth of his daughter, G.Vijayapriya, as 08.11.1994 instead of 06.11.1994 and issue fresh birth certificate by considering his representation dated 24.06.2017.



3. According to the petitioner, his daughter was born on 08.11.1994 and he had applied for birth certificate for his daughter in the year 2015 only. After following due process of law, birth certificate was issued to the petitioner's daughter, wherein, the date of birth has been wrongly mentioned as 06.11.1994, instead of 08.11.1994. In order to rectify the same, the petitioner has submitted a representation dated 24.06.2017 before the second respondent and as the same is kept pending, without any action, the petitioner is before this Court.

4. Mr.T.S.Mohamed Mohideen, learned Additional Government Pleader, who takes notice for the respondents, on instructions, submitted that the competent authority to consider the request of the petitioner is the Revenue Divisional Officer and the petitioner has not submitted any representation before the concerned Revenue Divisional Officer, so far. He fairly submitted that in the event of the petitioner submitting his representation before the competent authority, the same shall be considered and appropriate orders shall be passed by the authorities, on merits.

5. Heard both sides.

6. Considering the facts and circumstances of the case, this Court, without going into the merits of the case, directs the petitioner to submit a copy of his representation dated 24.06.2017 along with a copy of this order to the Revenue Divisional Officer, Madurai, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the Revenue Divisional Officer shall consider the same and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the other interested parties, if any, within a period of four weeks, thereafter.

7. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Madurai District, Madurai.

2.The Thashildar,
Madurai East Taluk,
Y.Othakadai, Madurai Distirct.



3.The Sub - Registrar,
SRO Office,
Thamaraipatti,
Chittampatti, Madurai District.

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4.The Revenue Divisional Officer,
Madurai.

+1cc to Mr.K.SELVAM,Advocate,SR. 88137

W.P. (MD)No.21318 of 2017
20.11.2017

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KK/SV MMS/SAR 4/30.11.2017/ 3P- 6C/