

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2018

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P No.10140 of 2018

Sakthivel Johnson

..Petitioner

Vs

The Commissioner,
Registrar of Births and Deaths,
Tiruchengodu Municipality,
Namakkal District. .. Respondent

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking issuance of Writ of Mandamus, directing the respondent herein to issue the Date of Birth Certificate in favour of petitioner's daughter namely Selvadharani, who is aged 3 years based on the petitioner's representation dated 12.03.2018, within the time stipulated by this Court.

For Petitioner : Mr.G.Anbuchezeian

For Respondent : Mr.P.Srinivas
Standing counsel

O R D E R

Heard Mr.G.Anbuchezeian, learned counsel for the petitioner and Mr.P.Srinivas, learned Standing Counsel appearing for the respondent.

2. This writ petition has been filed for issuance of writ of mandamus, to direct the respondent to issue Birth Certificate in favour of petitioner's daughter namely Selvadharani, who is aged 3 years based on the petitioner's representation dated 12.03.2018, within a stipulated time.

3. The learned Standing Counsel appearing for the respondent on instructions, submitted that as per Rule 10 of the Tamil Nadu Registration of Births and Deaths Act, 1969, the parents or guardian of the child shall register the birth of the child, within a period of twelve months and as per the proviso to the Rule, if proper application is given with payment of late fee,

then it can be considered by the respondent. However, the petitioner has so far not made any application.

4. The learned counsel for the petitioner submitted that the petitioner is ready to give a proper application to the respondent and he is also ready to pay the late fee as per the Act.

5. In the light of the above submission, this Court, without going into the merits of the case, directs the the petitioner to give a proper application with payment of necessary fee. On such compliance, the respondent shall consider the same and pass appropriate orders on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. However, there shall be no order as to costs.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

ms

To

The Commissioner,
Registrar of Births and Deaths,
Tiruchengodu Municipality,
Namakkal District.

+1 CC to Mr.G. Anbuezhayan, Advocate sr 31570.
+1 CC to Mr.P. Srinivas, Advocate sr 32473

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SP(24/05/2018)