

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.14598 of 2018

G.Ponnusamy

...Petitioner

Versus

The Executive Officer,  
Nasiyanur Town Panchayat,  
Nasiyanur,  
Erode District - 638 107.

... Respondent

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondent to correct the erroneous entry of the name of the petitioner's wife as Perumayi instead of Sagunthala in the relevant column of mother's name in the register of births available at the office of respondent containing the particulars regarding the birth of petitioner's son P.Duriasamy born on 04.06.1991 at Veena Hospital, Nasiyanur, Erode District and to issue a birth certificate to petitioner's son P.Duriasamy by mentioning the mother's correct name as Perumayi after considering the representation of the petitioner dated 26.02.2018 submitted under Section 15 of Registration of Birth and Deaths Act, 1969 in accordance with law on merits expeditiously within a time frame as stipulated by this Court.

For Petitioner : Mr.C.E.Pratap

For Respondent : Mrs.P.Rajalakshmi  
Additional Government Pleader

O R D E R

Mrs.P.Rajalakshmi, learned Additional Government Pleader, takes notice for the respondent. By consent, this writ petition is taken up for final hearing at the admission stage itself.

2. The petitioner has come forward with the present writ petition seeking for issuance of writ of mandamus directing the respondent to correct erroneous entry made in the register of births available at the respondent's office.

3. The case of the petitioner is that he married one Perumayi and out of their wedlock a male child was born on 04.06.1991 at Veena Hospital, Nasiyanur, Erode District and he was named as P.Duraisamy.

4. The petitioner would claim that when his wife was admitted in the hospital for delivery his relatives have wrongly informed her name as Sagunthala instead of Perumayi, on that basis the hospital authorities entered her name as Sagunthala. The further case of the petitioner is that the hospital authorities have forwarded the information to the respondent as per the provisions under the Registration of Births and Deaths Act, 1969 and a wrong entry was made in the register. It is further stated that the petitioner's son has completed 10<sup>th</sup> standard at Government Boys Higher Secondary School, Perundurai, Erode District, in the year 2007 and in the transfer certificate the petitioner's wife name is correctly written as Perumayi and the mistake was found out later in the birth register, the petitioner has given a representation to the respondent to correct the mistake. Since no favourable order was forthcoming, the present Writ Petition.

5. The learned counsel for the petitioner submitted that as per Section 15 of Registration of Birth and Deaths Act, 1969, any mistakes made in the register can be corrected. He would further submit that the petitioner would be satisfied, if a direction is issued to the respondent to consider the representation of the petitioner.

6. The learned counsel for the respondent submitted that the representation of the petitioner would be considered in accordance with law.

7. Considering the above facts and the submissions made by the learned counsel on either side, this Court, without going into the merits of the case directs the respondent to consider the representation of the petitioner dated 26.02.2018 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-  
Deputy Registrar

//True Copy//

Sub Assistant Registrar

ms

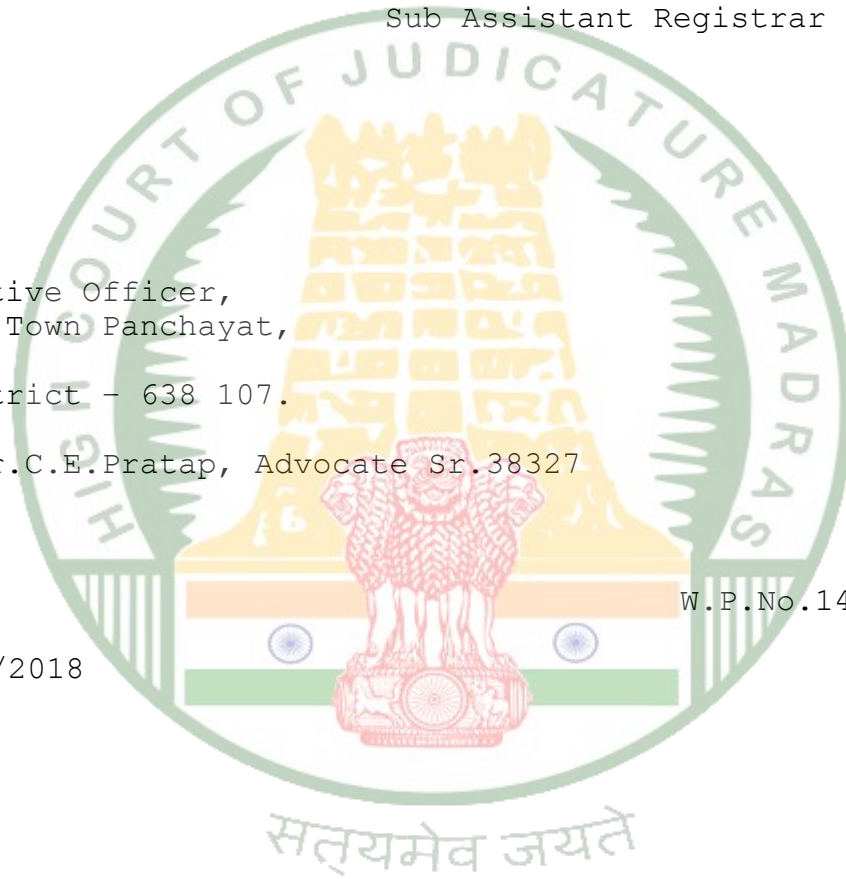
To

The Executive Officer,  
Nasiyanur Town Panchayat,  
Nasiyanur,  
Erode District - 638 107.

+1cc to Mr.C.E.Pratap, Advocate Sr.38327

W.P.No.14598 of 2018

srg 28/06/2018



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