



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :23.07.2018

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.15966 of 2018

M.K.M.Ahmed Sayeed

: Petitioner

Vs.

The Commissioner,
Cumbum Municipality,
Cumbum - 625 516,
Uthamapalayam Taluk,
Theni District.

: Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondent to make necessary change and correct the date of birth as 20.07.1974 instead of 20.09.1974 in the birth certificate of the petitioner namely M.K.M.Ahmad Sayeed issued by the respondent dated 08.05.2018.

For Petitioner : Mr.K.Neelamegam
For Respondent : Mr.Hemakarthiskeyan
Standing Counsel

ORDER

Mr.Hemakarthiskeyan, learned Standing Counsel takes notice on behalf of the respondent.

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

3.It is the grievance of the petitioner that his representation dated 08.05.2018, seeking for issuance birth certificate to him, has not been considered by the respondent till date and therefore, has filed the present writ petition.

4.This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondent is duty bound to consider the same in one way or other. Non consideration of the same would amount to dereliction of his ordinary duties of his office and as such this Court would be justified in invoking its powers under Article 226 of the Constitution of India to direct him to consider the petitioner's representation within a stipulated time.



5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the respondent to consider the petitioner's representation, dated 08.05.2018, on its own merits and take further action in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar (CS-I)

+ 1 CC TO Mr.K.NEELAMEGAM, ADVOCATE IN SR No. 74491
+ 1 CC TO Mr.K.HEMAKARTHIKEYAN, ADVOCATE IN SR No. 74970

SJI
TE/RSK/SAR-1 : 01/08/2018 : 2P/3C

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