



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :22.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P(MD)No.3668 of 2018

and

W.M.P(MD)Nos.3812 and 3813 of 2018

K.K.Ramesh

.. Petitioner

Vs.

The State of Tamilnadu,
Rep. By Principal Secretary,
Health and Family Welfare (AB2) Department,
Secretariat, Chennai - 9.

.. Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, to call for the records pertaining to the Tamil Nadu Government Order in G.O.Ms.No.360 dated 12.10.2017 passed by the respondent and quash the same as illegal, arbitrary and against natural justice.

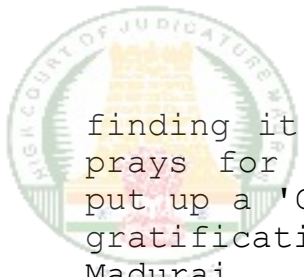
For Petitioner : Mr.K.K.Ramesh(Party-in-Person)
For Respondent : Mr.A.K.Baskarapandian,
Special Government Pleader

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.]

The Petitioner/party-in-person, came forward to filed this Writ Petition styled as a 'Public Interest Litigation', stating among other things that as per G.O.Ms.No.360, Health and Family Welfare Department, dated 12.10.2017, a phenomenal increase has been made in respect of the certificates issued under the Registration of Births and Deaths Act, 1968 and also under the Tamil Nadu Registration of Births and Deaths Rules, 2000.

2. The petitioner/party-in-person, has drawn the attention of this Court to the amendments made to the Tamil Nadu Registration of Births and Deaths Rules, 2000 and would submit that apart from legal tender for getting the back files etc., illegal gratification is also demanded by the lower level officials of the Corporation of Madurai and proceduralwise also, the concerned applicants are



finding it very difficult to get those certificates and therefore, prays for appropriate directions to resume said Rules and also to put up a 'Grievance Redressal Mechanism' as to the demand of illegal gratification on the part of the officials of the Corporation of Madurai.

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3. Per contra, Mr.A.K.Baskarapandian, learned Special Government Pleader, who accepts notice on behalf of the respondent, would submit that the standard of living has been improved so also the wages and salaries and the Government of Tamil Nadu is also announcing very many welfare schemes for the poor and downtrodden people and as such, the sum fixed by way of amendment to the said Rules, cannot said to be exorbitant.

4. It is the further submission of the learned Special Government Pleader appearing for the respondent that insofar as the allegation of illegal gratification demanded by some of the officials of the Corporation of Madurai is concerned, 'Vigilance Mechanism' has been put in place and if any complaint is lodged, immediate and prompt action would be taken and it is not necessary that the concerned individual should go and lodge a complaint and even through online also, such a kind of complaint can be lodged and prays for dismissal of this Writ Petition.

5. This Court has heard the rival submissions and perused the materials placed before it.

6. A perusal of the notification dated 12.10.2017, issued by the respondent, for amending certain provisions of the Tamil Nadu Births and Death Rules, 2000, would disclose that, previously very low sum of Rs.2, 5 and 10 were collected for receiving the said certificates and it has been increased to Rs.100, 200 and 500 respectively and as rightly pointed out by the learned Special Government Pleader, on account of increase in salary and improvement in standard of living, the amendment has been made to the said Rules, increasing the sum from Rs.2, 5 and 10 to Rs.100, 200 and 500 respectively and therefore, the said sum cannot be said to be unreasonable and exorbitant.

7. The petitioner/party-in-person has also expressed his grievance that whenever, he approached the officials of the Madurai Corporation, for want of issuance of such certificates, apart from paying the said sum, illegal gratification is also demanded to take up the back files.

8. In the considered opinion of this Court, 'Grievance Redressal Mechanism', is also put in place and the petitioner can approach them with necessary representation and as and when such representation is submitted, the concerned Authority, shall look into the same and take immediate, necessary and remedial action, without any loss of time.



9. In the result, this Writ Petition is dismissed, subject to the above observations. No Costs. Consequently, connected Miscellaneous Petitions are closed.

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Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

The Principal Secretary,
State of Tamilnadu,
Health and Family Welfare (AB2) Department,
Secretariat, Chennai - 9.

+ 1 CC TO Mr.K.K.RAMESH, PARTY IN PERSON IN SR No. 50679
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 51018

PM
TE/SV-MMS/SAR-2 : 07/03/2018 : 3P/4C

ORDER MADE IN
W.P(MD)No.3668 of 2018 and
W.M.P(MD)Nos.3812 and 3813 of 2018
22.02.2018