



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.8608 of 2018

B.Saranya Devi

... Petitioner

vs.

1. The District Collector
O/o.The District Collector
Madurai

2. The Commissioner
Madurai Corporation
O/o.Madurai Corporation
Alagarkovil Main Road
Madurai-2

3. The Revenue Divisional Officer
O/o.Revenue Divisional Office
Madurai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 2 and 3 to consider the petitioner's representation, dated 22.03.2018 and to correct the petitioner's date of birth in the register as 03.02.1988 instead of 02.02.1988 and to issue fresh birth certificate.

For Petitioner : Mr.R.Senthil Kumar

For Respondents : Mr.S.Nagarajan

Special Government Pleader for R1 & R3

Mr.Prabhu Ramachandran

Standing Counsel for R2

ORDER

Mr.S.Nagarajan, learned Special Government Pleader, takes notice for the respondents 1 and 3 and Mr.Prabhu Ramachandran, learned Standing Counsel, takes notice for the second 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 22.03.2018 seeking to correct his date of birth in the birth certificate as 03.02.1988 instead of 02.02.1988 and to issue a fresh birth certificate, has not been considered by the

respondents till date and therefore, he 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 respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them 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 second respondent to consider the petitioner's representation dated 22.03.2018 on its own merits and take further action in accordance with law, within a period of three 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(Crl side)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
O/o.The District Collector, Madurai.
2. The Revenue Divisional Officer,
O/o.Revenue Divisional Office, Madurai.
3. The Commissioner
Madurai Corporation
O/o.Madurai Corporation
Alagarkovil Main Road, Madurai-2.

+ 1 cc TO Mr.R.Senthil Kumar , Advocate in SR No. 62392
+ 1 cc TO Mr.R.Prabhu Ramachandran , Advocate in SR No. 62793
+ 1 cc TO The Special Government Pleader in SR No. 62525

krk
AE/SV MMS/SAR1/15.05.2018/2P/7C

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