



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.11.2018

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE V. BHAVANI SUBBAROYAN

W.P. (MD) No.18515 of 2018

V.Seenivasagam

.... Petitioner

Vs.

The Revenue Divisional Officer/
Revenue Divisional Court
Aruppukottai
Virudhunagar District

... Respondent

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent herein to dispose my application filed in No.B5/3190/2018, dated 14.05.2018 within the time stipulated by this Court.

For Petitioner : Mr.C.Jeganathan

For Respondent : Mr.C.M.MariChelliahprabhu
Additional Government Pleader

O R D E R

The petitioner has filed this writ petition for issuance of a writ of mandamus directing the respondent herein to dispose of the petitioner's application filed in No.B5/3190/2018 dated 14.05.2018.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondent.

3. The petitioner's case is that petitioner's daughter namely S.Ragitha Rai Melgiba was born on 12.06.2005 at Marluthu Village, Virudhunagar District, which was registered by the Village Administrative Officer of the same village and the birth certificate was issued with the same name. He would further submit that in order to change the name of her daughter as S.Ragitha instead of S.Ragitha Rai Melgiba, a Gazette Notification has also been issued by the Government on 28.12.2016. Thereafter, the petitioner submitted an application before the Tahsildhar, Virudhunagar District seeking to make necessary corrections with regard to her daughter's name and to



issue a fresh birth certificate with the name S.Ragitha. Thereafter the Tahsildhar issued a proceedings in Na.Ka.No.A3/3642/2017, dated 12.05.2017 directing the Joint Sub Registrar, Virudhunagar and Village Administrative Officer, Maruluthu Village to change the name of her daughter, as per the Government Gazette in all the official records and issue a fresh birth certificate mentioning the corrected name. As per the direction of the Village Administrative Officer, the petitioner has paid a sum of Rs.40/- through challan on 27.02.2017 for correcting the name of the daughter in all records maintained by the Village Administrative Officer, Maruluthu Village. After payment, also the officers did not take any action and kept the same in cold storage. Thereafter, petitioner frequently visited the Village Administrative Officer to get the birth certificate of her daughter. After correcting the name of her daughter in all the records pertaining to the Birth and Deaths Register had submitted a report stating that register is found missing and he could not proceed with the matter further. Thereafter petitioner has filed a Writ Petition in W.P(MD) No.22723 of 2017 seeking for a direction to the respondents therein to issue birth certificate showing the correct name of her daughter as S.Ragitha on the basis of the Gazette Notification, dated 28.12.2016. The above writ petition was withdrawn with liberty to approach the respondent for making necessary application. Thereafter the petitioner filed an application in Cr.M.P No.b5/3190/2018 directing the respondent/Tahsildhar to change the name in the Birth Register 2005 as S.Ragitha instead of S.Ragitha Rai Melgiba in the Birth Register of Maruluthu Village. The petitioner has filed this application during the month of May 2018 and the said application is pending before the respondents for more than three months without any progress. He would also contend that her daughter is studying in school and the school authorities are insisting for production of the correct Birth Certificate of her daughter. Hence the petitioner has approached this Court seeking inference by this Court.

4. In view of the above said facts and circumstances, this Court directs the respondent to dispose of the petition filed by the petitioner in accordance with law within a period of four weeks from the date of receipt of copy of this order.

5. The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //



To:

The Revenue Divisional Officer/
Revenue Divisional Court
Aruppukottai
Virudhunagar District.

+1cc to Special Government Pleader Sr.No.96045.
+1cc to M/s.Veera Associates, Advocate, Sr.No.96084.

W.P. (MD) No.18515 of 2018

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RAM/SKN/SAR 2/04.12.2018/2P/4C