



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P. (MD) No.15875 of 2018

Thilagavathi

... Petitioner

vs.

1.The Commissioner
Manaparai Municipal Corporation,
Manaparai, Trichy District.

2.The Registrar,
Birth and Death,
Manaparai Municipal Office,
Manaparai,
Trichy District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the 1 and 2 respondents to correct the father's name as Kumaravelu instead of Govindaraj in the birth certificate of the petitioner's son namely Dharsan by considering the representation dated 06.07.2018.

For Petitioner	:	Mr.J.Madhu
For Respondents	:	Mr.J.Gunaseelanmuthiah, Additional Government Pleader

ORDER

Mr.J.Gunaseelanmuthiah, learned Additional Government Pleader, takes notice for the respondents.

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 her representation dated 06.07.2018 seeking to correct the father's name as Kumaravelu instead of Govindaraj in the birth certificate of the petitioner's son namely Dharsan, has not been considered by the first respondent 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 06.07.2018 on its own merits and take further action in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner and any other persons who may be interested in the subject matter.

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

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. The Commissioner
Manaparai Municipal Corporation,
Manaparai,
Trichy District.

2. The Registrar,
Birth and Death,
Manaparai Municipal Office,
Manaparai,
Trichy District.

+1CC to Mr.J.Madhu Advocate in SR.No.74048.

+1CC to Special Government Pleader in SR.No.74359.

PNN
DS/SV/SAR-4 :01.08.2018: 2P/5C

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