

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 01.08.2018****CORAM:****THE HONOURABLE MR. JUSTICE M.S. RAMESH****W.P. (MD) No. 16706 of 2018****WEB COPY**

G. Kannan

... Petitioner

vs.

1. The Tahsildar,
Uthamapalayam Taluk Office,
Uthamapalayam Post,
Theni District.

2. The Deputy Tahsildar,
Uthamapalayam Taluk Office,
Uthamapalayam Post,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus to direct the respondents to make necessary change and correct date of birth as 29.05.2000 instead of 29.12.2000 in the birth certificate of petitioner's son Jegankumar issued by the respondents dated 20.11.2002 .

For Petitioner : Mr.K.Neelamegam

For Respondents : Mr.J.Gunaseelanmuthiah

Additional Government Pleader

O R D E R

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 his representation dated 09.07.2018, seeking to make necessary change and correct date of birth as 29.05.2000 instead of 29.12.2000 in the birth certificate of petitioner's son Jegankumar issued by the respondents dated 20.11.2002.

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 2nd respondent to consider the petitioner's representation dated 09.07.2018 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 directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Tahsildar,
Uthamapalayam Taluk Office,
Uthamapalayam Post,
Theni District.

2. The Deputy Tahsildar,
Uthamapalayam Taluk Office,
Uthamapalayam Post,
Theni District.

+1cc to Mr.K.Neelamegam, Advocate SR.No.76163

+1cc to SPECIAL GOVERNMENT PLEADER, SR.No.76586

Ksa

MK/SKN/SAR 1/04.09.2018/2P/5C

W.P. (MD) No. 16706 of 2018
01.08.2018