



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESHW.P.(MD) No.17323 of 2018

WEB COPY

Chettiyannan

... Petitioner

vs.

The Sub Registrar
Sub Registrar Office
Thuraiyur Taluk
Trichy District

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondent to consider the petitioner's representation, dated 22.06.2018 and rectify the petitioner's son Sutharsan and daughter Suganya Date of Birth as 23.05.1984 and 25.05.1986 respectively instead of 06.06.1984 and 13.05.1986 respectively and to include their respective names and to rectify the mother name as Kaliyamma instead of Kalyiammal U/s.15 of the Tamil Nadu Registration of Birth and Death Act, 1969 in the register of birth and death maintained by the respondent and furthermore direct the respondent to issue fresh Birth Certificate accordingly within a stipulated time. As fixed by this Court.

For Petitioner : Mr.N.Anandakumar
For Respondent : Mr.M.Murugan
Government Advocate

ORDER

Mr.M.Murugan, learned Government Advocate, takes notice for the 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 22.06.2018 seeking to rectify some mistakes crept in his children's birth certificate and for issuance of fresh birth certificates, has not been considered by the 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 respondent is 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 his office and as such, this Court would be justified in invoking its powers conferred under Article



226 of the Constitution of India to direct him 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 respondent to consider the petitioner's representation dated 22.06.2018 on its own merits and take further action in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. Such an exercise shall be done after conducting enquiry and giving due opportunity to the petitioner as well as to the 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(P&A)

/True Copy/

Sub Assistant Registrar(CS-II)

To:
The Sub Registrar,
Sub Registrar Office,
Thuraiyur Taluk,
Trichy District.

+1CC TO MR.N.ANANDA KUMAR ADVOCATE IN S.R.No.77187.
+1 cc to Special Government Pleader, SR.No.77275.

KRK
DS RSK SAR-2:26.09.2018: 2P/4C

W.P.(MD) No.17323 of 2018
03.08.2018