



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.08.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.22631 of 2019

Minor Sargurru @ Sreevarshan.S

.. Petitioner

/versus/

The Sub Registrar,
Births & Deaths,
Oulgaret Municipality,
Puducherry-605 005

.. Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari Mandamus, calling for the entire records pertaining to the order passed in proceedings No.14-11559/P.V/Pulls Vivaram/Voo.Na/2019 dated 24.06.2019 on the file of the respondent and quash the same by directing the respondent herein to record the alias name of the petitioner Sreevarshan.S in the birth register in terms of the Civil Court decree passed in CMP.No.59 of 2014 dated 10.03.2014 on the file of the Principal District Munsif Court, Puducherry and to issue a revised birth certificate extract to the petitioner forthwith in view of the facts and circumstances as set out herein.

For petitioner : Mr.Natarajan.R

For Respondent : Mr.C.T.Ramesh
Addl.Govt.Pleader (Pondy)

O R D E R

The petitioner herein is aggrieved by the order passed by the respondent on 24.06.2019, rejecting his request to register his name in the birth register as per the Civil Court decree.

2. The short point canvassed before this Court that, the impugned order is in the printed format, wherein details are written without applying mind upon documents produced more particularly, the Civil Court decree and the Gazette notification furnished by the petitioner. The scrutiny of the impugned order of the 1st respondent dated 24.06.2019 does not indicate that two documents referred above were considered by him before passing the impugned order. Hence, the impugned order is liable to be quashed.



3. The respondent is directed to consider the Gazette notification and the Civil Court decree furnished by the petitioner herein and pass appropriate orders as per Section 16 of the Registration of birth and Death Act, within a period of four weeks from the date of receipt of copy of this order.

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

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

rpl

To

The Sub Registrar,
Births & Deaths,
Oulgaret Municipality,
Puducherry-605 005

+2cc to Mr.R.Natarajan, Advocate SR.No.69492

+1cc to Government Pleader cum Public Prosecutor (Pondicherry)
SR.No.69940

W.P.No.22631 of 2019

PM(CO)
GMY(12/09/2019)