

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 13.08.2019

C O R A M

THE HON'BLE MR.JUSTICE S.MANIKUMAR

AND

THE HON'BLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No.18955 of 2017

Mariyal Natarajan

... Petitioner

Vs

- 1.The District Collector,
Kancheepuram District,
Kancheepuram - 631 501.
- 2.The Tahsildar,
Sholinganallur Taluk Office,
Sholinganallur, Chennai - 600 119.
- 3.The Inspector General of Registration,
No.100, Santhome High Road, Mylapore,
Chennai - 600 028.
- 4.The Chairman,
Unique Identification Authority of India,
3rd Floor, Tower II, Jeevan Bharathi Building,
Connaught Circus, New Delhi - 110 001.
- 5.The Deputy Director General,
UIDAI Regional Office, Bengaluru,
No.49, 3rd Floor,
Sought Wing Race Course Road,
Bengaluru - 560 001.
- 6.The Assistant Manager,
Aadhar Card Center,
Sholinganallur,
Old Mahabalipuram Road,
Chennai - 600 119.
- 7.The Director,
Civil Supplies and Consumer Protection Department,
4th Floor, Ezilagam, Chennai - 600 005.
- 8.The Chief Election Commissioner,
Election Commission of India,
Nirvachan Sadan,
Asoka Road, New Delhi - 110 001.

9.The State Election Commissioner,
Tamil Nadu State Election Commission,
No.208/2, Jawaharlal Nehru Road,
Jai Nagar, Koyambedu,
Chennai - 600 106.

10.The Director,
Rural Panchayat and Panchayat raj,
Panagal Building, Saidapet,
Chennai - 600 015.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the Respondents to amend the our village named as Sithalapakkam instead of (1) Chitlapakkam, (2) Sittalapakkam, (3) Cittalapakkam, (4) Chittallapakkam, (5) Chithalapakkam, (6) Citalapakkam and (7) Shitalapakkam, (8) Siththaalapaakkam, etc and the same may be notified in the official gazette of State Government of Tamil Nadu, considering the petitioners representation dated 05.06.2017.

For Petitioner : Mr.G.J.Bhaskaranarayanan
For R1 to R3, R10 : Mr.Akhil Akbar Ali
Government Advocate.
For R4 and R5 : Mrs.Sunitakumari,
Senior Panel Counsel for Central
Government
For R7 : Mr.L.P.Shanmugasundaram
Special Government Pleader
(Co-operative)
For R8 : Mr.Niranjan Rajagopal
For R9 : Mr.B.Nedunchezhiyan
For R6 : No Appearance

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O R D E R
(Order of the Court was made by S.MANIKUMAR, J)

Petitioner has sought for a Writ of Mandamus, directing the respondents, to amend his Village, named as Sithalapakkam, instead of (1) Chitlapakkam, (2) Sittalapakkam, (3) Cittalapakkam, (4) Chittallapakkam, (5) Chithalapakkam, (6)

Citalapakkam and (7) Shitalapakkam, (8) Siththaalapaakkam, etc, and the same may be notified in the official gazette of State of Tamil Nadu, by considering his representation, dated 05.06.2017.

2. Supporting the prayer sought for, petitioner has contended that he was elected by the people of Sithalapakkam Village, as Panchayat Ward Member, St.Thomas Mount Panchayat Union. The Petitioner's Village name is Sithalapakkam. It is a residential locality of south Chennai. It is often confused with (1) Chitlapakkam, (2) Sittalapakkam, (3) Cittalapakkam, (4) Chittallapakkam, (5) Chithalapakkam, (6) Citalapakkam, (7) Shitalapakkam, (8) Siththaalapaakkam etc.

3. He has further contended that the government departments, have entered petitioner's village name, wrongly, in their register as (1) Chitlapakkam, (2) Sittalapakkam, (3) Cittalapakkam, (4) Chittallapakkam, (5) Chithalapakkam, (6) Citalapakkam, (7) Shitalapakkam, (8) Siththaalapaakkam etc. The entries in the Ration Card, Aadhar Card, Registration department, Revenue department and the Election commission, reveal the same.

4. He has further contended that postal code for Chitlapakkam is 600 064 and postal code for Sithalapakkam 600 126. Chitlapakkam is within the Taluk of Tambaram and petitioner's village, namely Sithalapakkam is within the Taluk of Sholinganallur. The distance between Chitlapakkam and Sithalapakkam is 14 kms or 8.7 miles or 7.6 nautical miles. If the village names are misconstrued, it would be Geographical as well as, a historical mistake.

5. He has further contended that Government of India, have made the Aadhar Card, as the Unique Identification of every citizen of India and entries carried out by UIDAI, stands still and absolute. But, whereas, UIDAI has failed to establish a separate regional office for each and every state, especially for the State of Tamil Nadu. He was given to understand that UIDAI has delegated the entire southern region to Bengalaluru, and UIDAI southern region registry has entered the name of the abovesaid village, wrongly.

6. Since Aadhar has become mandate, entries in the Aadhar, has been made as the gospel truth, and various other government agencies, are carrying out the same mistake, done by the southern region office of UIDAI. Petitioner apprehends that the incorrect entries in respondent's registry, would ultimately brush aside the name of the village in future, and the abovesaid villagers would lose their identity, which according to the petitioner, violates their fundamental rights.

7. For the aforesaid reasons, on 05.06.2017, the petitioner has made a representation to the respondents 1 to 9, to amend the above said village name, as Sithalapakkam. Vide letter, dated 13.06.2017, of the respondent, forwarded the petitioner's representation, to the Director, Rural Panchayat and Panchayat raj, Chennai/the 10th respondent herein and to take action, on the same. Petitioner visited the website of the 10th respondent, to verify the village name. The 10th respondent registry reveals the village name as Siththaalapaakkam instead of Sithalapakkam. In these circumstances, the petitioner has filed the instant writ petition, for the prayer, as stated supra.

8. Responding to the notice, the Deputy Director, Unique Identification Authority of India, Regional Office, Bangalore/the 5th respondent, has filed a counter affidavit, and the same is extracted hereunder:-

(i) The entire allegation in paragraph of 7 of the affidavit against 5th respondent is denied as false and incorrect. He submitted that "Sithalapakkam" village is appearing correctly in UIDAI software, for enrolment. He has further submitted that UIDAI pin code portal is synchronous with the India Post and hence, any addition or deletion of pin code, village name, taluk/city name and sub district in UIDAI pin code portal, are done after obtaining the approval from India Post. It is relevant to point out that, even in the petitioner's Aadhaar Card which is enclosed in the typed set of papers, at page number 20, and her husband at page number 22, the village name is shown correctly as "Sithalapakkam". Hence, the allegation made against the 5th respondent is legally unsustainable.

(ii) He has further submitted that the enrolment for Aadhaar is carried out upon production of valid proof of Identity and Proof of Address, by the residents, at the time of enrolment. Fifth respondent also provides the residents to update their demographic information upon production of valid documents as mentioned in Annexure - R1, as per Aadhaar Act, 2016.

9. During the course of hearing, when attention of contents of the pleadings and the entries made by the Registration Department, was brought to the notice of the learned counsel for the petitioner, that there is no public interest involved, Mr.G.J.Bhaskaranarayanan, learned counsel for the petitioner,

seeks permission of this Court, to withdraw the writ petition. He has also made an endorsement to that effect.

10. We find no public interest in the instant writ petition. However, we grant permission to withdraw the writ petition. Therefore, writ petition is dismissed as withdrawn.

Sd/-
Assistant Registrar(CO)

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Sub Assistant Registrar

To

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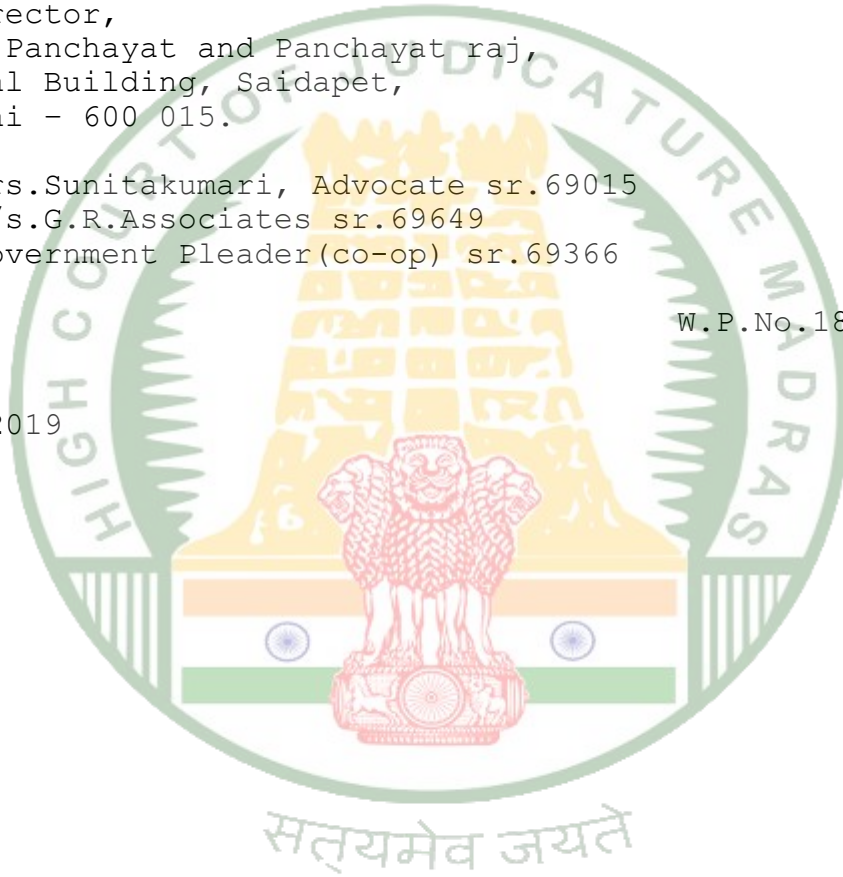
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Panagal Building, Saidapet,
Chennai - 600 015.

+1cc to Mrs.Sunitakumari, Advocate sr.69015
+1cc to M/s.G.R.Associates sr.69649
+1cc to Government Pleader(co-op) sr.69366

W.P.No.18955 of 2017

gmr(co)
nr 30/09/2019



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