

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.12.2019

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.33877 of 2019
and
W.M.P.No.34409 of 2019

Sneha Sivakumar (Minor)
Represented by her father Sivakumar

.. Petitioner

..Vs..

The Thasildar
Thasildar Office Sholinganallur,
Chennai - 600 100.

.. Respondent

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records in respect of the Impugned Rejection Order in respect of the Petitioner's on line Application No.TN - 3201910091224, dated 09.10.2019, Impugned Rejection Order issued by the respondent to the petitioner and quash the same and direct the respondent to issue Nativity Certificate to the Petitioner.

For Petitioner : Mr.P.Wesley Isaac

For Respondent : Mr.N.Inbanathan,
Additional Government Pleader.

ORDER

This petition has been filed in the nature of Certiorarified Mandamus with respect to the Rejection Order of the petitioner's on line Application No.TN-3201910091224 dated 09.10.2019 issued by the Thasildar, Sholinganallur.

2. The petitioner who is represented by her father in this Writ Petition had applied for Nativity Certificate and it was rejected by the said order of the respondent. The only reason

given by the respondent is that the petitioner has been a resident in Tamil Nadu for only two years.

3. It is the grievance of the learned counsel for the petitioner that the petitioner's father and mother were both born in Tamil Nadu and the petitioner's father and mother also studied continuously in Tamil Nadu till they obtained Decree. Therefore, since the petitioner's father got profitable employment in the United States, he left Tamil Nadu. The petitioner was born in the United States. Thereafter, the petitioner's father came to Pune and later they fairly settled down in Tamil Nadu and have also purchased a property. The petitioner wanted to apply for the NEET Examination and wanted to take advantage of applying it with Nativity Certificate from the State of Tamil Nadu. Though enquiry was conducted, and the petitioner and her father participated in the enquiry, and they produced documents, a cursory order stating that they had stayed in Tamil Nadu only for a period of two years had been passed by the respondent while rejecting the said application.

4. The learned Government Pleader brought to the notice of this Court in G.O.Ms.2388, Revenue Department dated 27.11.1999 in which certain guidelines are given for issuing of Nativity Certificate.

5. It would only be appropriate, that the Thasildar, Sholinganallur, who is the respondent shall re-examine the entire file, along with the documents submitted by the petitioner/father and pass a detailed order with respect to the application seeking Nativity Certificate based on all the documents and also the guidelines issued in G.O.Ms.No.2388, Revenue Department dated 27.11.1990. Since the cut off date for applying for the NEET Examination is 31.12.2019, it is only hoped that the respondent would pass order as directed above on or before 17.12.2019. If necessary, the petitioner may also participate in the proceedings before the Thasildar, Sholinganallur, on 13.12.2019.

6. With the above observations and consciously not expressing any opinion on the merits of the case, since the Thashildar, Sholinganallur, is the competent Authority to pass necessary order, this Writ Petition stands disposed of. No Costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS)

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Sub Assistant Registrar

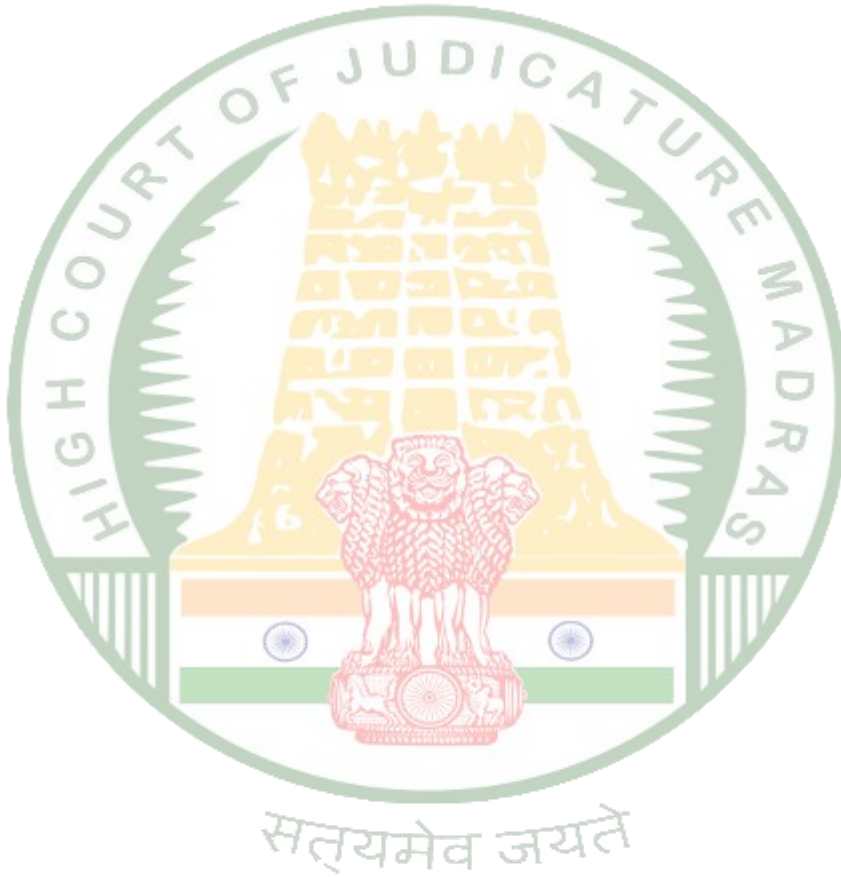
smv
To,

The Thasildar
Thasildar Office Sholinganallur,
Chennai - 600 100.

+1cc to Mr.P.Wesley Isaac , Advocate SR.No. 102999
+1 cc to Government Pleader Sr.No. 103093

W.P.No.33877 of 2019

A.SK(11/12/2019)



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