



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2019

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD)No.17302 of 2019

P.Ramar

...Petitioner

-Vs-

1.The Commissioner,
Madurai Corporation,
Madurai

2.The Revenue Divisional Officer,
Madurai.

3.The Health Inspector,
Birth and Death Registration,
Ward No.21, Madurai.

...Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the second respondent to register the birth of the petitioner's elder children named R.Ajay born on 07.04.2000 and to issue Birth Certificate without any further delay.

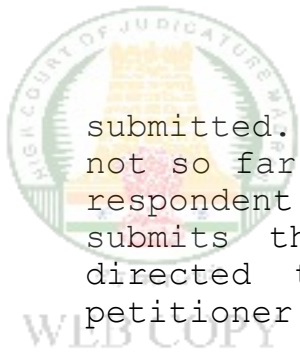
For Petitioner	: Mr.R.Sevugaraja
For R1 & R3	: Mr.Prabhu Ramachandran,
For R2	: Mr.M.Rajarajan, G.A.

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the second respondent to register the birth of the petitioner's elder child named R.Ajay born on 07.04.2000 and to issue Birth Certificate without any further delay.

2.Heard Mr.R.Sevugaraja, learned counsel appearing for the petitioner and Mr.Prabhu Ramachandran, learned standing counsel appearing for the respondents 1 and 3 and Mr.M.Rajarajan, learned Government Advocate appearing for the 2nd respondent.

3.The petitioner, in order to get birth certificate to his son Ajay, made an application on 25.01.2019 to the 2nd respondent and in this regard, necessary documents available with the petitioner have also been submitted and an affidavit to that effect also had been



submitted. Despite the same, the petitioner's representation has not so far been considered and no orders have been passed by the 2nd respondent. Hence, the learned counsel appearing for the petitioner submits that, if the said representation of the petitioner is directed to be decided on merits, within a time frame, the petitioner would be satisfied.

4.I have heard the learned Government Advocate appearing for the 2nd respondent, who would submit that, the 2nd respondent is the competent authority to decide the application and therefore, the said application of the petitioner would be decided by the 2nd respondent, on merits and in accordance with law, within a time frame.

5.Considering the limited scope of the prayer sought for in this writ petition, this Court is inclined to dispose of this writ petition, with the consent of both the parties, at the stage of admission itself, with the following direction:

"The 2nd respondent is directed to consider the representation of the petitioner dated 25.01.2019, with regard to his grievance of issuance of birth certificate for his son and pass orders thereon, on merits and in accordance with law, within a period of 6 weeks from the date of receipt of a copy of this order".

6.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

To

The Revenue Divisional Officer,
Madurai.

+1 CC to Mr.R.SEVUGA RAJA, Advocate SR-79917.
+1 CC to SPL GP SR-80293.

Order made in
W.P. (MD)No.17302 of 2019

Dated:

06.08.2019

CS(13.09.2019) 2P 4C