

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.09.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.6265 of 2020

A.Bharath
S/o.Arunachalam
150, Kalyana Sundaram Street
Kasthuri Bai Nagar
West Tambaram
Chennai-600 045.

...Petitioner

.Vs.

The Tahsildar
Office of the Tahsildar
Tambaram.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the respondent in his proceedings Na.Ka.No.6979/2019/A7, dated 30.12.2019 and quash the same and consequently, direct the respondent to issue Nativity Certificate to the petitioner's daughter Jhayashreene Bharath, within a time frame.

For Petitioner : Mr.P.Raja

For Respondent : Mr.R.Govindasamy
Special Government Pleader

सत्यमेव जयते
O R D E R

This matter is taken up for hearing through Video Conferencing mode.

2. This writ petition is filed challenging the order of the respondent dated 30.12.2019, wherein and whereby, Nativity Certificate by birth was rejected on the reason that the petitioner's daughter was not residing in the subject matter address permanently for more than 5 years.

3. The learned counsel for the petitioner submitted that the Zonal Deputy Tahsildar, Tambaram, Kancheepuram District has already issued the residence certificate dated 01.11.2019 certifying that the petitioner's daughter is residing at Door No.150, Kalyana Sundaram Street, Kasthuri Bai Nagar, West Tambaram, Tambaram Taluk from 01.01.2015 till date. Therefore, he submitted that the respondent cannot deny the

Nativity Certificate to the petitioner's daughter, by passing the impugned order.

4. On the other hand, the learned Special Government Pleader, based on instructions, submitted that the petitioner's daughter is not entitled to get such Nativity Certificate by birth as admittedly, the petitioner's daughter was not residing in the subject matter address for more than 5 years and however, the respondent will consider for issuance of Nativity Certificate by residence, if sufficient materials are produced before him. Therefore, he submitted that the matter may be remitted back to the respondent for considering the issuance of Nativity Certificate by residence to the petitioner's daughter.

5. Considering the above stated facts and circumstances, more particularly, the submission made by the learned Special Government Pleader as stated supra, this Writ Petition is disposed of as follows:

(a) The petitioner shall approach the respondent and produce all necessary documents for issuance of Nativity Certificate by residence within a period of two weeks from the date of receipt of a copy of this order.

(b) On receipt of such request with necessary documents, the respondent shall consider the same and pass appropriate orders for issuing Nativity Certificate by residence within a period of four weeks thereafter. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsi/mk

To

The Tahsildar
Office of the Tahsildar
Tambaram.

+1cc to Mr.P.Raja, Advocate, SR.No.30157

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