



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2021

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

WRIT PETITION NO.9532 OF 2021

Mr. G. Arunachalam

... Petitioner

versus

The Commissioner,
Birth and Deaths,
Puducherry Municipality,
Mudaliyarpet,
Puducherry

...Respondent

Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondent to consider and dispose of the petitioner's representation dated 13.01.2021 and 29.03.2021 in a time bound manner in accordance with law.

For Petitioner : M/s.Kanimozhimathi for
Mr.A.Rajarajan

For Respondents : Mr.J. Kumaran, AGP
(Pondicherry)

O R D E R

The relief sought in this Writ Petition is to issue a mandamus directing the respondent to consider and dispose of the petitioner's representation dated 29.03.2021 in a time bound manner, in accordance with law.

2. According to the petitioner, he made representations to the respondent seeking some corrections in his name as well as his son's name and also changing his wife's name as 'Sumathi', instead of 'Rani' which was mistakenly entered in his son's birth certificate and also in the relevant records.

3. On 01.09.2021, when the matter was taken up for hearing, the petitioner was directed to appear before the respondent along with relevant documents on 16.09.2021. Further, the officer concerned was directed to consider the claim of the petitioner in the light of the documents produced and report to



this court.

4. Today, when the matter is taken up for hearing, the learned Additional Government Pleader (Puducherry) appearing for the respondent submitted that as directed by this court, the representation seeking corrections in respect of the petitioner's name as well as his son's name, was considered and the corrections were also made. However, with regard to the change of name of his wife as 'Sumathi' instead of 'Rani', the same was rejected by the respondent authority by order dated 20.09.2021, as it is against the dictum laid down in the decision reported in 2011 (5) CTC 620 (Eesha Kumar vs. The Assistant Commissioner, Coimbatore City Municipal Corporation, West Zone, Coimbatore and another) invoking the provisions of Section 15 of the Act, 1969 and Rule 11 of the the Pondicherry Registration of Births and Deaths Rules, 1999.

5. Recording the submissions so made by the learned Additional Government Pleader (Puducherry) appearing for the respondent, this writ petition stands disposed of, granting liberty to the petitioner to challenge the order passed by the respondent on 20.09.2021 in the manner known to law, if so advised. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

msr

To

The Commissioner,
Birth and Deaths,
Puducherry Municipality,
Mudaliyarpuram,
Puducherry.

Writ Petition No.9532 of 2021

SJ(CO)
PM/27/10/2021