



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2021

CORAM

THE HON'BLE MR.JUSTICE R. MAHADEVAN

Writ Petition No.12137 of 2021

Hari Har Sudan

... Petitioner

-Vs-

The Sub Registrar
Births and Deaths
Pondicherry Municipality
No.1, Rue Dumas
Puducherry - 605 001.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Certiorarified Mandamus to call for the records of the respondent in connection with the impugned order in No.126/P.E/pillvivaram/pu.na/20, dated 18.05.2021, quash the same as illegal, arbitrary and against the principles of natural justice and consequently, direct the respondent to consider and dispose of the petitioner's representation dated 17.05.2021 to include the petitioner's father's name as SIVARAMAKRISHNAN RADHAKRISHNAN in the Birth Certificate bearing No.M/1984/00004, dated 03.01.1984, in the father's column, in a time bound manner, in accordance with law.

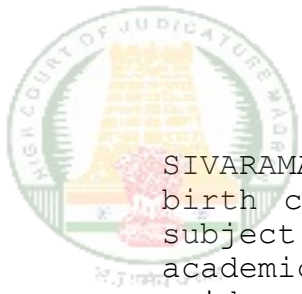
For Petitioner : Mr.V.P.Raju
for M/s.R.R.Associate

For Respondent : Mr.C.T.Ramesh
Additional Government Pleader (Pondicherry)

O R D E R

This writ petition has been filed to issue a Certiorarified Mandamus quashing the order passed by the respondent dated 18.05.2021 and consequently, direct the respondent to consider and dispose of the petitioner's representation dated 17.05.2021 to include the petitioner's father's name as SIVARAMAKRISHNAN RADHAKRISHNAN in his birth certificate bearing No.M/1984/00004, dated 03.01.1984, in column (6) with respect to 'name of father' in a time bound manner, in accordance with law.

2. According to the petitioner, he made application on 17.05.2021 for correction of his father's name as



SIVARAMAKRISHNAN RADHAKRISHNAN instead of RADHAKRISHNAN in his birth certificate, for the purpose of pursuing a specialised subject in the institute of Vlerick Degree at Brussels for the academic year 2021-23. However, the respondent rejected the said application by the impugned order dated 18.05.2021 on the ground that the respondent does not have any power to carry out the correction of the father's name in the birth certificate and thereby directed the petitioner to obtain necessary orders from the competent court. Feeling aggrieved, the petitioner has come up with this writ petition for the aforesaid relief.

3.Today, when the matter was taken up for consideration, the learned Additional Government Pleader appearing for the respondent submitted that if the petitioner produces the birth certificate of his father, the respondent would consider his claim and pass orders, on merits, within a reasonable time to be fixed by this court.

4.Agreeing with the submission so made by the learned Additional Government Pleader appearing for the respondent, the learned counsel for the petitioner by way of reply, submitted that the petitioner would produce all the required documents in support of his claim. The learned counsel further submitted that in OP.No.103 of 2020, this Court, by order dated 20.07.2020, directed the authorities to issue the petitioner therein with a birth certificate as contained in Form 1-A of the Rules by effecting entries in column nos.6,7,8, 9 and 10, taking into consideration the amendment that has been brought about to the Tamil Nadu Registration of Births and Deaths Rules, 2000. Hence, the learned counsel prayed for appropriate direction to the respondent to dispose of the petitioner's representation dated 17.05.2021 in the light of the documents as well as the order of this Court dated 20.07.2020 in OP.No.103 of 2020.

5.Recording the aforesaid submissions made by the learned counsel on either side, this writ petition stands disposed of, directing the respondent to consider the petitioner's representation dated 17.05.2021, upon receipt of the required documents placed by him, and pass appropriate orders, on merits and in accordance with law, as expeditiously as possible. While doing so, the respondent shall also take into consideration the Tamil Nadu Registration of Births and Deaths Rules, 2000. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

The Sub Registrar
Births and Deaths
Pondicherry Municipality
No.1, Rue Dumas
Puducherry - 605 001.

+2cc to Mr.V.P.Raju, Advocate, S.R.No. 31004

+1cc to the Government Pleader(Pondicherry), S.R.No. 31149

W.P.No.12137 of 2021

EV(CO)
GN(18/08/2021)