



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2021

C O R A M

THE HON'BLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.No.3009 of 2017
and W.M.P.No.2888 of 2017

Indhumathi

...Petitioner

Vs

1. Section Officer,
Ministry of External Affairs,
Branch Secretariat,
Chennai.
2. The Under Secretary to Government,
Public (Foreigners) Department,
Government of Tamil Nadu,
Chennai-600 009.
3. The District Collector
Office of District Collector,
Villupuram District,
Villupuram.
4. The District Revenue Officer,
Office of District Revenue Officer,
Villupuram District,
Villupuram.
5. The Tahsildar,
Taluk Office Thindivanam,
Thindivanam,
Villupuram District,
Villupuram.
6. The Zonal Deputy Tahsildar,
Taluk Office Thindivanam,
Thindivanam,
Villupuram District,
Villupuram.



7.The Tahsildar,
Taluk Office Marakkanam,
Marakkanam,
Villupuram District,
Villupuram.

...Respondents

Prayer Writ Petition filed under Section 226 of the Constitution of India, prayed for the issuance of Writ of Mandamus, directing the fourth respondent to sent report, with regard to genuineness/authenticity of registration of birth certificate of petitioner's mother namely Tmt.Sarojini, whose birth was duly registered vide Registration No.6/40 dated 16.10.1940 on the file of the sixth respondent namely the Zonal Deputy Tahsildar, Thindivanam, Villupuram District, forthwith as directed by the third respondent in his communication Letter vide Memorandum No.Na.Ka.Gi.1/6713/2015 dated 29.02.2016 so that enabling the petitioner to get/obtain Red Seal from the respondents 1 and 2.

For Petitioner	:	Mr.Prakash Adiapadam
For R1	:	Mr.S.Makesh Additional Central Government Standing Counsel
For R2 to R6	:	Mr.M.Shahjahan Special Government Pleader

ORDER

This Writ Petition has been filed, for the issuance of Writ of Mandamus, directing the fourth respondent to sent report, with regard to genuineness/authenticity of registration of birth certificate of petitioner's mother namely Tmt.Sarojini, whose birth was duly registered vide Registration No.6/40 dated 16.10.1940 on the file of the sixth respondent namely the Zonal Deputy Tahsildar, Thindivanam, Villupuram District, forthwith as directed by the third respondent in his communication Letter vide Memorandum No.Na.Ka.Gi.1/6713/2015 dated 29.02.2016 so that enabling the petitioner to get/obtain Red Seal from the respondents 1 and 2.

2.The case of the petitioner is that, the petitioner is in the process of getting French Nationality based on her grand parents French Citizenship. For that purpose, the petitioner has to get Red Seal in the required documents from the respondents 1 and 2. Therefore, the petitioner made an application to the respondents 1 and 2 for obtaining Red Seal in the birth certificate of her mother. After the completion of all the



formalities, on 15.05.2012, the respondents 1 and 2, put the Red Seal on the birth certificate issued in favour of the petitioner's mother. Since the validity period of such certificate is only for six month, on 20.03.2015, the petitioner once again made an application to the respondents 1 and 2, for obtaining the Red Seal and the petitioner's application was forwarded to the fourth respondent and the fourth respondent in turn directed the third respondent vide letter dated 29.02.2016, to verify the birth certificate of the petitioner's mother and sent his report. However, till date the fourth respondent has not taken any steps to forward the report regarding the genuinity of the birth certificate of the petitioner's mother. Hence, the present Writ Petition has been filed.

3.The learned Additional Central Government Standing Counsel appearing for the first respondent submitted that the role of the respondents 1 and 2 is only to authorise the genuineness of the certificate after getting the report from the fourth respondent.

4.The learned Special Government Pleader appearing for the respondents 2 to 6 would submit that the birth certificate of the petitioner's mother will be verified and thereafter, report will be sent as early as possible.

5.Heard the learned counsel for the petitioner; the learned Additional Central Government Standing Counsel appearing for the first respondent and the Special Government Pleader appearing for the respondents 2 to 6

6.A perusal of the document would show that, on the earlier occasion the enquiry regarding the genuineness of the birth certificate issued in favour of the petitioner's mother was completed and fourth respondent has sent a report vide No.Mu.Mu.Gil/2835/12 dated 09.05.2012, stating that the birth certificate issued in favour of the petitioner's mother is genuine and true. Since the validity of the certificate is only for three months, the petitioner has once again made an application for obtaining the Red Seal. Under such circumstances, this Court does not find any infirmity to the fourth respondent is issue genuineness of registration of birth certificate of petitioner's mother, which will ultimately help the petitioner to make an application to get French Nationality based on the petitioner's grand parents citizenship.

7.In view of the above, this Court directs the respondents 3 and 4 to issue the report regarding the genuineness of registration of birth certificate of petitioner's mother and forward the same to the respondents 1 and 2, within a period of four weeks from the date of receipt of a copy of this order.



8. With the above direction, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

WEB COPY

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

rst
To:

1. Section Officer,
Ministry of External Affairs,
Branch Secretariat,
Chennai.
2. The Under Secretary to Government,
Public (Foreigners) Department,
Government of Tamil Nadu,
Chennai-600 009.
3. The District Collector
Office of District Collector,
Villupuram District,
Villupuram.
4. The District Revenue Officer,
Office of District Revenue Officer,
Villupuram District,
Villupuram.
5. The Tahsildar,
Taluk Office Thindivanam,
Thindivanam,
Villupuram District,
Villupuram.
6. The Zonal Deputy Tahsildar,
Taluk Office Thindivanam,
Thindivanam,
Villupuram District,
Villupuram.



7. The Tahsildar,
Taluk Office Marakkanam,
Marakkanam,
Villupuram District,
Villupuram.

+1 CC to M/s. Prakash Adiapadam, Advocate sr 65040
+1 CC to The Government Pleader sr 65825

W.P.No.3009 of 2017
and W.M.P.No.2888 of 2017

VSNII (CO)
SP(16/12/2021)