



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.5364 of 2021

P.Anand

... Petitioner

Vs.

The Registrar,
(Birth and Death),
Madurai Corporation,
Ward No.19,
Madurai District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to consider this petitioner's representation dated 17.02.2021 within a stipulated time.

For Petitioner : Mr.R.Narendran

For Respondent : Mr.S.Shanmugavel
Additional Government Pleader.

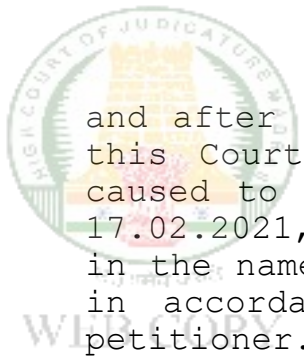
ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondent to consider the petitioner's representation dated 17.02.2021 seeking for correction in the birth certificate issued in the name of his daughter, Sivapriya, dated 08.07.2006.

2. It is the case of the petitioner that the name of the parents has been wrongly mentioned in the birth certificate issued to the petitioner's daughter, Sivapriya on 08.07.2006. According to the petitioner, the name of the father should read as P.Anand and the name of the mother should read as Meena. But, in the birth certificate, it has been wrongly mentioned as Muruganantham (Father's name) and Meenakshi (Mother's name). In such circumstances, the petitioner has given a representation on 17.02.2021 seeking for correction in the birth certificate, dated 08.07.2006, for his daughter, Sivapriya. Since the representation has not been considered till date, he has filed this Writ Petition.

3. Heard Mr.R.Narendran, learned counsel for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader, who accepts notice on behalf of the respondent.

4. Though the learned Additional Government Pleader for the respondent submits that the birth certificate pertains to 08.07.2006



and after lapse of almost 16 years, the correction cannot be done, this Court is of the considered view that no prejudice would be caused to the respondent, if the petitioner's representation dated 17.02.2021, seeking for correction in the birth certificate issued in the name of his daughter, Sivapriya, is considered on merits and in accordance with law, after affording a fair hearing to the petitioner.

5. Learned counsel for the petitioner also submits that the petitioner will satisfy all the requirements sought for by the respondent in the enquiry proceedings to be conducted by the respondent pursuant to the directions given by this Court.

6. After recording the submissions made by the respective counsels, this Court directs the respondent to consider the petitioner's representation dated 17.02.2021, requesting the respondent to correct the names of the parents in the birth certificate issued for Sivapriya, dated 08.07.2006 and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner including granting him the right of personal hearing within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. With the aforesaid directions, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (Crl side)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To
The Registrar, (Birth and Death),
Madurai Corporation, Ward No.19,
Madurai District.

+1 CC to M/s.R.NARENDRAN, Advocate (SR-10502[F] dated 08/03/2022)

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RK(18/03/2022) 2P 3C

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