



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.03.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.4439 of 2022

P.Sakthivel

... Petitioner

Vs.

1.The Tahsildar,
O/o.the Tahsildar,
Kovilpatti,
Thoothukudi District.

2.The Sub Registrar,
Kovilpatti,
Thoothukudi District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to register the name of the petitioner's son, namely, Murali Manohar, Birth date 13.12.1974 in the Birth Register in Column No.1 of the Birth Certificate.

For Petitioner : M/s.K.Mahalakshmi
For Respondents : Mr.B.Saravanan,
Additional Government Pleader.

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to register the name of the petitioner's son, namely, Murali Manohar, birth date 13.12.1974 in the Birth Register in Column No.1 of the birth certificate.

2. The petitioner's application seeking for issuance of birth certificate for his son, Murali Manohar, who was born on 13.12.1974, has already been rejected by the first respondent on 11.01.2022. The petitioner has not challenged the said order, but has sought for a Mandamus in this Writ Petition. Such a direction cannot be granted by this Court.

3. Mr.B.Saravanan, learned Additional Government Pleader, accepts notice on behalf of the respondents.

4. Mr.B.Saravanan, learned Additional Government Pleader, on instructions, would submit that if a fresh representation is given by the petitioner to the Revenue Divisional Officer, Kovilpatti, Thoothukudi District requesting for issuance of birth certificate for the petitioner's son, Murali Manohar, who was born on 13.12.1974, the same will be considered on merits and in accordance



with law, as the Revenue Divisional Officer is the competent authority. The said statement is recorded.

5. Learned counsel for the petitioner, on instructions, would submit that the petitioner is willing to give a fresh representation to the Revenue Divisional Officer, Kovilpatti, Thoothukudi District in respect of the relief sought for in this Writ Petition. The said statement is recorded.

6. After hearing the submissions made by the respective counsels, this Court directs the petitioner to submit a fresh representation to the Revenue Divisional Officer, Kovilpatti, Thoothukudi District, seeking for issuance of a birth certificate for his son, Murali Manohar, who was born on 13.12.1974, within a period of one (1) week from the date of receipt of a copy of this order. On receipt of the said representation, the Revenue Divisional Officer, Kovilpatti, Thoothukudi District shall 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 thereafter.

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

Sd/-

Assistant Registrar (CS-I)

// 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

1.The Tahsildar,
O/o.the Tahsildar,
Kovilpatti,
Thoothukudi District.

2.The Sub Registrar,
Kovilpatti,
Thoothukudi District.

<https://hcservices.hcj.gov.in/hcservices/>



3.The Revenue Divisional Officer,
Kovilpatti,
Thoothukudi District.

+1 CC to M/s.M.M.MANIVELPANDIAN, Advocate (SR-13814[F]
dated 23/03/2022)

+1 CC to M/s.SPL GP (SR-13863[F] dated 23/03/2022)

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22.03.2022

KG(CO)

GC(31.03.2022) 3P 6C