



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.6568 of 2022

T.S.Nowrose Beevi

... Petitioner

vs.

The Executive Officer,  
Registrar of Births and Deaths,  
Vadakarai Keelpidaagai Town Panchayats,  
Sengottai Taluk, Tirunelveli District. ... Respondent

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondent to consider the petitioner's representation, dated 21.03.2022 and to pass appropriate orders to cancel the petitioner's birth entry which was erroneously registered, dated 09.05.2014 in Registration No.128/14/1 within a time frame stipulated by this Court.

For Petitioner :Mr.K.Sudalayandi  
For Respondent :Mr.M.Lingadurai  
Special Government Pleader

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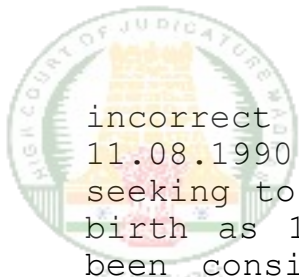
### **O R D E R**

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondent to consider the petitioner's representation, dated 21.03.2022 and pass final orders within a time frame to be fixed by this Court.

2.The petitioner is having two birth certificates. One of which discloses her date of birth as 16.01.1990 and the other discloses her date of birth as 11.08.1990. According to the petitioner, her correct date of birth is 11.08.1990. According to her, by mistake, her mother applied for another birth certificate and got the same issued which discloses her incorrect date of birth. In such circumstances, the petitioner has given representation on 21.03.2022 to cancel the birth certificate which discloses the date of birth as 16.01.1990. Since the said representation has not been considered till date, the petitioner has filed this Writ Petition.

3.Heard Mr.K.Sudalayandi, learned Counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the respondent.

4.The petitioner has filed both birth certificates referred to supra along with the Writ Petition. According to her, the birth certificate, which discloses her date of birth as 16.01.1990 is an



incorrect one. It is her case that her correct date of birth is 11.08.1990. The petitioner has given a representation on 21.03.2022 seeking to cancel the birth certificate which discloses her date of birth as 16.01.1990. Admittedly, the said representation has not been considered till date. No prejudice will be caused to the respondent, if the petitioner's representation is considered on merits and in accordance with law after affording a fair hearing to the petitioner.

5. Accordingly, this Court directs the respondent to consider the petitioner's representation, dated 21.03.2022 seeking for cancellation of the birth certificate, which discloses her date of birth as 16.01.1990 and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the aforesaid directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

cmr

**TO**

The Executive Officer,  
Registrar of Births and Deaths,  
Vadakarai Keelpidaagai Town Panchayats,  
Sengottai Taluk, Tirunelveli District.

+1 CC to M/s.K. SUDALAIYANDI, Advocate ( SR-17599[F]  
dated 08/04/2022 )

+1 CC to M/s.SPL.GP ( SR-17957[F] dated 11/04/2022 )

Order made in  
W.P. (MD)No.6568 of 2022  
08.04.2022

ARK (CO)  
GC (21.04.2022) 2P 4C