



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.8639 of 2022

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Palraj

... Petitioner

Vs.

The Commissioner,
Srivilliputhur Municipality,
Virudhunagar District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to issue a Birth Certificate in Form 1A in accordance with Rule 5 of the Tamil Nadu Registration of Birth and Death Rules, 2000 by indicating the name of the petitioner and his wife one Mrs.Mariammal as adoptive parents in Serial Nos.7 and 8 in the Birth Certificate of their daughter Rajamahalakshmi within the period that may be stipulated by this Court.

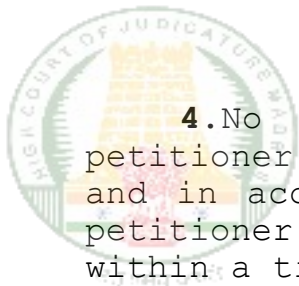
For Petitioner : Mr.M.Jerin Mathew
For Respondent : Mr.M.Lingadurai
Special Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondent to issue a Birth Certificate in Form 1A in accordance with Rule 5 of the Tamil Nadu Registration of Birth and Death Rules, 2000 by indicating the name of the petitioner and his wife one Mrs.Mariammal as adoptive parents in Serial Nos.7 and 8 in the Birth Certificate of their daughter Rajamahalakshmi, within a time frame to be fixed by this Court.

2.The petitioner claims that he is the adoptive father of Rajamahalakshmi. The petitioner's wife is Mrs.Mariammal. They have submitted a representation on 04.10.2021 to decalre them as adoptive parents for Rajamahalakshmi and to incorporate the same in the Birth Certificate in Form 1A in accordance with Rule 5 of the Tamil Nadu Registration of Birth and Death Rules, 2000. Since the said representation has not been considered till date, the petitioner has filed this writ petition.

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



4.No prejudice would be caused to the respondent, if the petitioner's representation as stated supra is considered 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 time frame to be fixed by this Court.

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5.For the foregoing reasons, this Court directs the respondent to pass orders on the petitioner's representation seeking to incorporate the name of the petitioner and his wife one Mrs.Mariamammal as adoptive parents in Serial Nos.7 and 8 in the Birth Certificate of their daughter Rajamahalakshmi, 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.

6.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

To

The Commissioner,
Srivilliputhur Municipality,
Virudhunagar District.

ORDER MADE IN

W.P.[MD]No.8639 of 2022

29.04.2022

CK(CO)
GC(16.05.2022) 2P 2C