



W.P(MD)No.11587 of 2016

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.11.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.11587 of 2016

Karnan

... Petitioner

Vs.

The Commissioner,
Sankarankovil Municipality,
Tirunelveli District.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to Na.Ka.No.2408 of 2015/H1 dated 05.10.2015 passed by the respondent and quash the same and consequently direct the respondent to issue “Non availability certificate of Birth” in respect of petitioner daughter birth registration, by considering petitioner's application dated 22.09.2015.

For Petitioner : Mr.R.Murugappan

For Respondent : Mr.P.Mahendran



W.P(MD)No.11587 of 2016

ORDER

WEB COPY

The present writ petition has been filed challenging an order passed by the respondent Municipality, rejecting the request of the petitioner for grant of “Non Availability Certificate” on the ground that the petitioner has given two different addresses at the time of filing two applications, seeking Non Availability Certificate of registration of birth.

2. The petitioner is directed to approach the respondent Municipality with a clear case, in which address, the child was born. Only then, the Municipality could trace the records and find out whether the date of birth of the petitioner's daughter has already been registered or not. Only thereafter, they can issue Non Availability Certificate or can issue Birth Certificate, in case if it was already registered.

3. In view of the above said facts, the order impugned in the writ petition is set aside. The petitioner is directed to approach the respondent Municipality as stated supra.



WEB COPY



W.P(MD)No.11587 of 2016

4. With the above said observations, this Writ Petition stands allowed. No costs.

30.11.2022

Index : Yes / No
Internet : Yes / No
gbg

To

The Commissioner,
Sankarankovil Municipality,
Tirunelveli District.



WEB COPY



W.P(MD)No.11587 of 2016

R.VIJAYAKUMAR ,J.

gbg

Order made in
W.P(MD)No.11587 of 2016

Dated:
30.11.2022