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W.P.No.7321 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.7321 of 2020

K.Karthikeyan

... Petitioner

Vs.

1.The District Collector,
District Collector Office,
State Bank Road,
Beside Police Office,
Gopalapuram,
Coimbatore District – 641 018.

2.The Commissioner,
The Coimbatore City Municipal Corporation,
Coimbatore – 641 001.

3.Deputy Commissioner,
The Coimbatore City Municipal Corporation,
Coimbatore – 641 001.

4.The Tahsildar,
Coimbatore North,
Dr.Balasundaram Road,
Near Womens Polytechnic College,
Att Colony,
Gopalapuram,
Coimbatore – 641 018.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to



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issue a Writ of Mandamus directing the respondents 1 to 4 to consider his representation dated 21.12.2019 within the time period fixed by this Hon'ble Court and consequently directed to the respondents to change my mother name Jayalakshmi instead of Kundu Mani in my birth certificate and issue the same as early as possible.

For Petitioner : Mr.G.Muruganandam

For Respondents : Mr.K.M.D.Muhilan for R1 & R4
Additional Government Pleader
Mr.K.M.D.Muhilan for R2 & R3
Standing Counsel

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to consider the petitioner's representation dated 21.12.2019 within the time period fixed by this Court and to consequently direct the respondents to change the petitioner's mother's name as Jayalakshmi instead of Kundu Mani in his birth certificate and to issue the same as early as possible.

2.The case of the petitioner is that one Kundu Mani is the first



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wife of the petitioner's father namely, Mayilvaganam and one Jayalakshmi/ mother of the petitioner is the second wife of his father and at the time of registering the petitioner's birth, his father gave the petitioner's mother's name as Kundu Mani. The petitioner did not face any problem till he completed his graduation, however, while he was in search of job in abroad, he applied for visa, passport and work permit and since there was change in his mother's name, visa was not given to him. Hence, the petitioner made representation to the respondents seeking to change his mother's name as Jayalakshmi instead of Kundu Mani in his birth certificate and to issue the same, however, the same has not yet been considered. Hence, this writ petition.

3.The learned counsel appearing for the petitioner submitted that after the demise of the petitioner's father, the petitioner obtained legal heirship certificate dated 12.08.2004 and in the said legal heirship certificate, his mother's name has been correctly mentioned. Hence, this Court may issue direction to the respondents to consider the petitioner's representation dated 21.12.2019 and to pass appropriate orders in terms of Rule 11 of the Tamil Nadu Registration of Birth and Death Rules, 2000, within a reasonable time



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4.The learned Additional Government Pleader submitted that the petitioner's representation will be considered in the manner known to law.

5.In view of the above, this Court, without expressing any opinion on the merits of the case, directs the second respondent to consider the petitioner's representation dated 21.12.2019 in terms of Rule 11 of the Tamil Nadu Registration of Birth and Death Rules and in terms of the legal heirship certificate dated 12.08.2004 issued by the Revenue Officials and pass appropriate orders, as expeditiously as possible.

6.The writ petition is accordingly disposed of. No costs.

26.04.2023

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No



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M.DHANDAPANI,J.
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