



WEB COPY



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 24.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

**W.P.(MD)No.903 of 2021**

Ajitha

... Petitioner

vs.

The Commissioner,  
Padmanathapuram Municipality,  
Kanyakumari District.

... Respondent

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for documents pertaining to the impugned order passed by the respondent vide Na.Ka.No.1636/2019/A2 dated 29.11.2019 and quash the same as erroneous and may consequently direct the respondents to issue birth certificate to the petitioner's son by correcting his name as name of S.JERIN instead of S.JARIAN.

For Petitioner : Mr.A.Balakrishnan

For Respondent : No Appearance



WEB COPY

## ORDER

This Writ Petition is filed for Certiorarified Mandamus to quash the impugned Communication, dated 29.11.2019 with a consequential direction to the respondent to issue a Birth certificate to the petitioner's son, by correcting his name as S.JERIN instead of S.JARIAN.

2. Though, this Court has issued notice to the respondent and the name of the Commissioner, Padmanathapuram Municipality, Kanyakumari District, is also printed in the Cause list, there is no appearance on the side of the respondent either by the Counsel or by the officials of the Municipality.

3. The respondent has declined the claim of the petitioner by stating while rectifying the spelling mistake the name sounds differently and hence the claim of the petitioner cannot be granted.

4. It is seen that the petitioner's son name is S.Jerin and the correct spelling is JERIN. Of course, the alphabet "A" is added and hence it sounds



WEB COPY

differently. But that cannot be cited as reason for declining to rectify the spelling mistake.

5. Therefore, the respondent is directed to rectify the spelling mistake in the birth certificate as S.Jerin instead of S.Jarian. The respondent is further directed to rectify the said mistake and issue fresh Birth Certificate, within a period of four weeks from the date of receipt of a copy of this order.

6. With these observations and directions, this Writ Petition is disposed of. There shall be no order as to costs.

Index : Yes / No  
Internet : Yes  
NCC : Yes / No  
Sml/Ksa

**24.08.2023**

To  
The Commissioner,  
Padmanathapuram Municipality,  
Kanyakumari District.



WEB COPY



**S.SRIMATHY, J**

Sml/Ksa

**W.P.(MD)No.903 of 2021**

**24.08.2023**