



W.P.(MD)No.12598 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.05.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.12598 of 2023

V.Sudalaikkan

... Petitioner

Vs

1.The Director of Municipal Administration,
No.75, Urban Administrative Building,
Santhome High Road,
MRC Nagar, Rja Annamalaipuram,
Chennai - 600 028.

2.The Commissioner,
Corporation of Madurai,
Aringnar Anna Maligai,
Madurai - 625 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to modify the name of the petitioner's grandfather as Chinnkaruppan @ Karuppan instead of Sannsi in the Death Certificate of the petitioner's father(late) Velu vide Registration No.115/1194/67/00019 dated 12.09.1994 issued to the petitioner by the 2nd respondent, based on the petitioner's petition dated 30.07.2021 and 18.05.2023 made to the 2nd respondent.



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For Petitioner : Mr.K.Kannan
For R1 : Mr.A.Kannan
Additional Government Pleader
For R2 : Mr.K.Sivabalan
Standing Counsel

ORDER

By consent, the writ petition is taken up for final hearing at the admission stage itself.

2. This writ petition has been filed for a mandamus directing the 2nd respondent to modify the name of the petitioner's grandfather as Chinnkaruppan @ Karuppan instead of Sannsi in the Death Certificate of the petitioner's father(late) Velu vide Registration No.115/1194/67/00019 dated 12.09.1994 issued to the petitioner by the 2nd respondent, based on the petitioner's petition dated 30.07.2021 and 18.05.2023 made to the 2nd respondent.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to



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dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation, dated 18.05.2023, on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

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

25.05.2023

Index : Yes / No
Internet : Yes/ No
NCC : Yes / No

RR



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M.S.RAMESH, J.

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