



WP (MD) No.15573 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.15573 of 2022

Prabu. V

... Petitioner

Vs

1.The Commissioner,
Madurai Corporation,
Corporation Office,
Madurai.

2.The Registrar of Birth and Death and Sanitary Inspector,
Madurai Corporation,
Ward No.68, Madurai South Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of mandamus, directing the respondents to issue a fresh birth certificate regarding the petitioner's daughters namely P.THANVIKA AND P.THARSHIKA as mentioned date of birth on 05.02.2018 instead of 20.05.2018, based on his representation dated 02.05.2022.



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For petitioner : Mr.P.R.Boomee Rajan
For Respondents: Mr.K.K.Kannan
Standing Counsel

ORDER

The petitioner said to have submitted a representation for changing the petitioner's daughters' date of birth in the Birth Certificates issued by the respondent Corporation and filed this writ petition for a Mandamus to issue a suitable direction to the respondents.

2.The learned Standing Counsel appearing for the respondents submits that the earlier Birth Certificates were issued based on the information given by the petitioner at that relevant point of time and also based on the Hospital records with regard to the date of birth and it cannot be changed now on the representation of this petitioner. If the petitioner is disputing the date of birth of his children, he has to approach the competent civil Court.



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3.Considering the rival submissions made, this Court is inclined to dispose of this writ petition with the following directions:-

- i. If the petitioner is having sufficient records that the date of birth mentioned in the Birth certificates of his children is not correct, he is at liberty to approach the competent civil Court and obtain a decree, by adducing evidence.
- ii. Thereafter, the petitioner shall approach the respondent Corporation based on the civil court decree and get the corrected Birth Certificates.

4.Accordingly, this writ petition is disposed of. No costs.

14.09.2023

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



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B.PUGALENDHI, J.

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