



WEB COPY



W.P.No.26373 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.26373 of 2024

Kifaya Maryam

... Petitioner

Vs.

1.The District Collector,
Coimbatore District.

2.The Commissioner
The Mettupalayam Municipality
Mettupalayam
Coimbatore District.

3.The Registrar,
Birth and Registration Department
Division Iv,
Mettupalayam
Coimbatore District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the representation dated 11.06.2024.

For Petitioner : Mr.P.Bhaskar
For Respondents : Mr.Yokesh Kannadasan for R1
Special Government Pleader
Mr.LSM.Hasan Fizal for R2 & R3
Additional Government Pleader



W.P.No.26373 of 2024

WEB COPY

ORDER

Mr.Yokesh Kannadasan, learned Special Government Pleader takes notice on behalf of the first respondent, Mr.LSM.Hasan Fizal, learned Additional Government Pleader takes notice on behalf of the respondents 2 and 3. By consent, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to consider the representation dated 11.06.2024.

3.The case of the petitioner is that the petitioner's first husband namely, Ashik Hussain died on 11.08.2020 and out of the wedlock, a male child namely, Muhammad Ashiqur Rahman was born to her on 27.10.2020. After the death of her first husband, the petitioner married his younger brother namely, Anwardheen on 23.05.2021. Since the birth certificate of the petitioner's son contains his Biological Father's name, the petitioner made representation to the respondents seeking to alter the same with the name of her second husband and since the same has not yet been considered, has filed



W.P.No.26373 of 2024

this writ petition.

WEB COPY

4.The learned counsel appearing for the petitioner submitted that without going into the merits of the case, this Court may issue direction to the respondents to consider the petitioner's representation dated 11.06.2024 and to pass appropriate orders, within a reasonable time frame.

5.The respondents have rightly issued the birth certificate of the petitioner's son with the name of his Biological Father. The petitioner's request for changing the same with her second husband's name is impermissible one and hence, this Court is not inclined to grant the relief sought for in this writ petition.

6.This writ petition is accordingly dismissed. No costs.

11.09.2024

pri

Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No



WEB COPY



W.P.No.26373 of 2024

M.DHANDAPANI,J.
pri

To

- 1.The District Collector,
Coimbatore District.
- 2.The Commissioner
The Mettupalayam Municipality
Mettupalayam
Coimbatore District.
- 3.The Registrar,
Birth and Registration Department
Division Iv,
Mettupalayam
Coimbatore District.

W.P.No.26373 of 2024

11.09.2024

4/4