



W.P.No.28360 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2024

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.28360 of 2024

and

W.M.P.No.30922 of 2024

Amala

... Petitioner

Vs.

- 1.The District Collector,
Chennai District Collector,
Chennai.
- 2.The Commissioner of Corporation,
The Greater Chennai Corporation,
Ribbon Building, Periyamedu,
Chennai.
- 3.The Revenue Divisional Officer,
Chennai North, Madhavaram,
Chennai.
- 4.The Tahsildar,
Purasaiwalkam Tahsildar Office,
Purasaiwalkam, North Chennai,
Chennai.
- 5.The Director of Tamil Nadu Education Department,
Tamil Nadu Education Department,
DPI Complex, College Road,



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Nungambakkam, Chennai – 600 006.

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6.The Director of Government Examination Department,
Tamil Nadu Government Examination Directorate,
DPI Complex, College Road,
Nungambakka, Chennai – 600 006.

7.The Principal of School,
St. Gabriel's Higher Secondary School,
No.28, Prakasam Salai,
Broadway Rd, Bundar Rama Garden,
George Town, Chennai – 600 108.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st to 4th respondents to issue birth certificate to the petitioner's son named Santhosh, S/o.Appu, by considering the petitioner's representation dated 22.06.2024 and consequently, directing the 5th to 6th respondents to allow the petitioner's son named Santhosh, S/o.Appu to attend the 10th standard public examination by considering the petitioner's representation dated 12.09.2024.

For Petitioner : Mr.C.R.Gokulvisvas

For Respondents : Mr.U.Baranidharan
Additional Government Pleader [R1, R3 & R4]
Mr.G.T.Subramanian [R2]
Mrs.E.Ranganayaki
Additional Government Pleader [R5 & R6]

ORDER



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This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the respondents 1 to 4 to issue birth certificate to the petitioner's son named Santhosh, S/o.Appu, by considering the petitioner's representation dated 22.06.2024 and consequently, directing the respondents 5 and 6 to allow the petitioner's son named Santhosh, S/o.Appu to attend the 10th standard public examination by considering the petitioner's representation dated 12.09.2024.

2. Mr.U.Baranidharan, learned Additional Government Pleader, accepts notice on behalf of the respondents 1, 3 and 4, Mr.G.T.Subramanian, learned counsel, accepts notice on behalf of the 2nd respondent and Mrs.E.Ranganayaki, learned Additional Government Pleader, accepts notice on behalf of the respondents 5 and 6. In view of the consent expressed by the learned counsel appearing for the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. Since no adverse order has been passed against the 7th respondent, notice to the 7th respondent is dispensed with.



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4. The case of the petitioner is that, she is residing in the above said address on the road side platform tent along with her family. She is working as a sanitary worker and her husband namely, Appu was working as a lorry driver in solid waste management on contract basis in Chennai Corporation. Whiles, he was affected by jaundice in which, his right leg and right hand was not working properly, due to which, he was not able to continue his job. Both the petitioner and her husband are uneducated. At this stage, the petitioner gave birth to a male child, namely Santhosh and now, he is studying in 10th standard in the 7th respondent school. Since the petitioner's son was born on 18.12.2009 in her tent house, she was not able to register his birth in the hospital and now, the 7th respondent is insisting the petitioner to produce the birth certificate of the petitioner's son in order to allow him to write the 10th standard public examination. Hence, the petitioner made representation dated 22.06.2024 before the respondents 1 to 4 and 12.09.2024 before the respondents 5 and 6. Since the said representations were not considered by the respondents 1 to 6, the petitioner has filed the above writ petition before this court for appropriate orders.



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5. Though very many grounds have been raised in this writ petition, the learned counsel for the petitioner submits that, it would suffice, if this Court issues a direction to the respondents 1 to 6 to consider the petitioner's representations dated 22.06.2024 and 12.09.2024 respectively and pass appropriate orders, within a time frame that may be fixed by this Court.

6. Considering the limited request made by the learned counsel appearing for the petitioner, this court, without going into the merits of the case, directs the respondents 1 to 6 to consider the petitioner's representations dated 22.06.2024 and 12.09.2024 respectively and pass appropriate orders, on merits and in accordance with law, after providing an opportunity of personal hearing to the petitioner, within a period of four (4) weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs. Consequently, the connected writ miscellaneous petition is closed.



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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
sp



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M.DHANDAPANI, J.

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