



W.P.(MD).No.3165 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2024

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD).No.3165 of 2024

Saburalbeevi Mohammed Maideen

... Petitioner

vs.

1.The Registrar of Birth and Death,
Tenkasi District.

2.The Health Inspector,
Birth and Death Registrar,
Government P.H.C.,
Kadayam,
Tenkasi District.

3.Mohammed Maideen Beermohammed

4.Malmoonpoushiya Mydeen Pichaiy

5.Mydeen Pichaiy

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to consider the petitioner's representation, dated 04.09.2023 to issue corrected birth certificate with the adoptive parent's name in the petitioner's name column of the birth certificate dated 07.11.2013 with Registration No.214/2013 of the child Ahamadu Mehboob Reyash.



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For Petitioner : Mr.P.Bhaskar
For R1 & R2 : Mr.P.Thambidurai
Government Advocate

ORDER

This writ petition has been filed for issuance of a writ of Mandamus, directing the respondents 1 and 2 to consider the petitioner's representation, dated 04.09.2023 to issue corrected birth certificate with the adoptive parent's name in the petitioner's name column of the birth certificate dated 07.11.2013 with Registration No.214/2013 of the child Ahamadu Mehboob Reyash.

2. According to the petitioner, she and her husband are adoptive parents of Ahamadu Mehboob Reyash and the respondents 4 and 5 are the biological parents and they made a representation to the respondents 1 and 2 on 04.09.2023, seeking to issue correct birth certificate. Since the said representation has not been considered, the petitioner has filed the present writ petition.



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3. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents 1 and 2.

4. Considering the fact that there is no material available before this Court regarding the adoption, without expressing any opinion on the merits of the matter, directs the respondents 1 and 2 to consider the petitioner's representation dated 04.09.2023 and pass appropriate orders, on merits and in accordance with law, after affording opportunity to the parties concerned, within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

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To

- 1.The Registrar of Birth and Death,
Tenkasi District.
- 2.The Health Inspector,
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V.BHAVANI SUBBAROYAN,J.

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