



W.P.(MD)No.20526 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2024

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.20526 of 2024

L.Gomathi

... Petitioner

Vs.

1.The Commissioner,
Tirunelveli City Municipal Corporation,
Tirunelveli.

2.The City Health Officer,
Tirunelveli City Municipal Corporation,
Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to rectify the erroneous date of birth of the petitioner entered in the birth register maintained by the respondents and to issue a fresh birth certificate to the petitioner as 03.03.1952 instead of 15.08.1952 by processing the representation of the petitioner dated 05.08.2024 within a stipulated period as may be fixed by this Court.

For Petitioner	: Mr.A.Mohan
For R1 & R2	: Mr.S.Sivanupandian Standing Counsel



W.P.(MD)No.20526 of 2024

WEB COPY

ORDER

The petitioner has filed this writ petition seeking a direction to the first respondent to rectify the erroneous date of birth of the petitioner entered in the birth register maintained by the respondents and to issue a fresh birth certificate to the petitioner as 03.03.1952 instead of 15.08.1952 by processing the representation of the petitioner dated 05.08.2024 within a stipulated period as may be fixed by this Court.

2.Heard Mr.A.Mohan, learned counsel for the petitioner and Mr.S.Sivanupandian, learned counsel, who takes notice for the respondents. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.The grievance of the petitioner is that the petitioner was born on 03.03.1952. However, the birth certificate was erroneously issued mentioning her date of birth as 15.08.1952. Except the birth certificate, in all other documents namely, Educational Certificates, Pan Card, Aadhaar Card and



W.P.(MD)No.20526 of 2024

passport, the date of birth of the petitioner is mentioned as 03.03.1952. Hence, the petitioner has filed this writ petition to rectify the same.

4.The learned counsel for the petitioner submits that her son settled in USA along with his family. The petitioner being a senior citizen to get a medical assistance for the old age ailments, had decided to go along with his son. Therefore, she made a representation to the authorities concerned seeking to alter the date of birth in the birth certificate for the purpose of availing green card at United States of America.

5.Admittedly, the educational certificates and the identity documents, the date of birth of the petitioner is mentioned as 03.03.1952. Hence, this Court taking into consideration the facts and circumstances of the case, directs the first respondent to conduct enquiry under Section 15 of the Registration of Births and Deaths Act, 1969 and Rule 11 of Registration of Births and Deaths Rules, 2000 on the the representation of the petitioner dated 05.08.2024 and pass appropriate orders after considering the documents submitted by the petitioner. The said exercise shall be completed within a period of one month from the date of receipt of a copy of this order.



W.P.(MD)No.20526 of 2024

WEB COPY

6.With the above direction, this writ petition is disposed of. No costs.

29.08.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
ta

To

- 1.The Commissioner,
Tirunelveli City Municipal Corporation,
Tirunelveli.
- 2.The City Health Officer,
Tirunelveli City Municipal Corporation,
Tirunelveli.



WEB COPY



W.P.(MD)No.20526 of 2024

N.SATHISH KUMAR, J.

ta

W.P.(MD)No.20526 of 2024

29.08.2024