



W.P(MD).No.21178 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 05.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P(MD).No.21178 of 2024

J.Irfana

... Petitioner

Vs.,

- 1.The District Collector,
District Collector Office,
Madurai 625 020.
- 2.The Revenue Divisional Officer,
District Collector Office,
Madurai 625 020.
- 3.The Thasildar,
North Taluk,
District Collector Office,
Madurai 625 020.
- 4.The Commissioner,
Madurai Corporation,
Aringar Anna Maligai,
Madurai 625 002.
- 5.The Village Administrative Office,
Sathamangalam, Managiri I & II Bit,
North Taluk,
Madurai District.

... Respondents



W.P(MD).No.21178 of 2024

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the second respondent to consider the representation of the petitioner dated 21.08.2024 demanding for issuance of her son J.Abdul Askar's birth certificate on the basis of recommendation letter given by the fifth respondent to the third respondent on 18.10.2022 within time frame that may be fixed by this Court.

For Petitioner : Mr.Raja Mohamed.S
for M/s.Mohamed Associates
For Respondents : Mr.D.Gandhiraj (for R1 to R3 and R5)
Special Government Pleader
Mr.S.Vidhyasagar (for R4)

ORDER

This writ petition has been filed seeking for issuance of writ of mandamus directing the second respondent to consider the representation of the petitioner dated 21.08.2024 demanding for issuance of her son J.Abdul Askar's birth certificate on the basis of recommendation letter given by the fifth respondent to the third respondent on 18.10.2022 within time frame that may be fixed by this Court.

2. Heard Mr.Raja Mohamed.S, learned counsel appearing for the petitioner, Mr.D.Gandhiraj, learned Special Government Pleader, who takes notice



W.P(MD).No.21178 of 2024

on behalf of the respondents 1 to 3 & 5 and Mr.S.Vidhyasagar, learned counsel, who takes notice on behalf of the fourth respondent. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that she wants birth certificate to her son, namely, J.Abdul Askar, who born at her residence on 29.04.2015. After the birth of J.Abdul Askar, the petitioner has not applied for the same due to some family situation. Now, he is studying V STD. Now, the petitioner submitted a representation to the respondents on 21.08.2024 seeking issuance of birth certificate of her son for school purpose. But, the same has not been considered so far. Hence, the petitioner is before this Court.

4. Merely by giving representation, the petitioner cannot seek aforesaid prayer. First of all, the petitioner has to make necessary application under the Tamil Nadu Registration of Birth and Death Rules, 2000, and make necessary late fee as per the Rules. Thereafter only, the petitioner's application can be considered.



W.P(MD).No.21178 of 2024

5. In view of the above, the petitioner is directed to submit application under the Tamil Nadu Registration of Birth and Death Rules, 2000, and make necessary late fee as per the Rules. On receipt of such application, the second respondent shall pass order thereon, on its own merits, by registering birth certificate of the petitioner's son, namely, J.Abdul Askars.

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

05.09.2024

NCC : Yes/No
Index : Yes/No
Rmk

To

1.The District Collector,
District Collector Office,
Madurai 625 020.

2.The Revenue Divisional Officer,
District Collector Office,
Madurai 625 020.

3.The Thasildar,
North Taluk,
District Collector Office,
Madurai 625 020.



W.P(MD).No.21178 of 2024

4. The Village Administrative Office,
Sathamangalam, Managiri I & II Bit,
North Taluk,
Madurai District.



WEB COPY



W.P(MD).No.21178 of 2024

N.SATHISH KUMAR, J.

Rmk

W.P(MD).No.21178 of 2024

05.09.2024