



W.P.(MD) No.17401 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.17401 of 2017

and

W.M.P.(MD) Nos.13919 and 13920 of 2017

Chinnama Naicker @ Bangarusamy

.. Petitioner

Vs.

1.The Tahsildar,
Taluk Office, Aundipatti Taluk,
Theni District.

2.D.Pitchai Mani

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of 1st respondent in Na.Ka.No. 6951/2015/A3 dated 05.10.2015 served on 16.06.2017, quash the same and consequently direct the 1st respondent to conduct a proper enquiry after providing reasonable opportunity to the petitioner and pass final orders based on oral and documentary evidence in accordance with law within a reasonable time as may be fixed by this Court.

For Petitioner : Mr.K.Appadurai



W.P.(MD) No.17401 of 2017

WEB COPY

For R1 : Mr.R.Suresh Kumar
Additional Government Pleader

ORDER

The challenge in the writ petition is to an order passed by the first respondent directing registration of death of one Chinnama Naidu @ Doraisamy, father of the second respondent herein.

2. It is the case of the petitioner that the said Doraisamy did not have any alias name. He had also relied upon the extracts of the voters list to substantiate the same.

3. What has been ordered by the first respondent is to enter the death of the second respondent's father in the register of death. For correction of name, Section 15 of the Registration of Births and Deaths Act, 1969 (hereinafter referred to as “the Act”) provides for an application before the Registrar with regard to making any correction or cancellation of the entry. In such view of the matter, the petitioner is at



W.P.(MD) No.17401 of 2017

liberty to approach the Registrar concerned under Section 15 of the Act for making the correction of the name of the deceased father of the second respondent. If such application is made, the Registrar shall also issue notice to the second respondent herein and decide the issues on merits and in accordance with law.

4. With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

04.12.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes

abr

To

The Tahsildar,
Taluk Office, Aundipatti Taluk,
Theni District.



WEB COPY



W.P.(MD) No.17401 of 2017

K.KUMARESH BABU, J.

abr

W.P.(MD) No.17401 of 2017

Dated: 04.12.2024