



W.P.(MD)No.29161 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.29161 of 2022
and WMP(MD) No.23108 of 2022

Balamurugan

... Petitioner

Vs

1. The District Registrar,
Pudukkottai, Pudukkottai District.

2. The Sub Registrar,
Keezhanilai, Thirumayam Taluk,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, thereby call for the records relating to the proceedings issued by the 1st respondent, dated 17.10.2022 in Oo. Mu. No. 5341/Aa1/2022 and quash the same as illegal and arbitrary and further direct the respondents to rectify the error with regard to date of birth and name of the petitioners mother in the birth certificate.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.C.Satheesh
Government Advocate



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ORDER

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This Writ Petition has been filed challenging the proceedings issued by the 1st respondent, dated 17.10.2022 in Oo. Mu. No. 5341/Aa1/2022 and direct the respondents to rectify the error with regard to date of birth and name of the petitioner's mother in the birth certificate.

2.Heard Mr.P.Ganapathi Subramanian, the learned counsel appearing for the petitioner and Mr.C.Satheesh, learned Government Advocate appearing for the respondents. Perused the materials available on record.

3.The grievance of the petitioner is that the petitioner was born on 07.03.1978. However, the birth certificate was erroneously issued mentioning his date of birth as 08.03.1978. Further, his mother's name also mentioned as Meena instead of Kalaiselvi. Except the birth certificate, in all other documents namely, Educational Certificates, Aadhar Card of the petitioner, the date of birth of the petitioner is mentioned as 07.03.1978. In the Aadhar Card of the petitioner's mother also the name is shown as Kalaiselvi Balakrishnan. Therefore, he made a representation to the authorities concerned seeking to alter the date of birth and his mother's name in the birth certificate.



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4. Admittedly, the educational certificates and the identity documents, the date of birth of the petitioner is mentioned as 07.03.1978 and his mother's name is shown as Kalaiselvi. 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 representation of the petitioner dated 10.10.2022 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.

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

30.08.2024

NCC : Yes/No
Index : Yes/No
PNM

To
1. The District Registrar,
Pudukkottai, Pudukkottai District.

2. The Sub Registrar,
Keezhanilai, Thirumayam Taluk,
Pudukkottai District.

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N.SATHISH KUMAR, J.

PNM

ORDER IN

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