



W.P.(MD).No.1529 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.01.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.1529 of 2025

Arunkumar Pandian

... Petitioner

Vs.

1.The District Collector,
Sivagangai District.

2.The Commissioner,
Devakottai Municipality,
Sivagangai District.

3.The Issuing Authority,
Division (02),
Devakottai Municipality,
Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 23.11.2024 to rectify the error in the petitioner's daughter's Birth Certificate registered No.114/2009/02 dated 16.04.2012 issued by the 3rd respondent.



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For Petitioner : Mr.B.Mahendrarajan
For R-1 : Mr.D.S.Neduncheliyan,
Government Advocate
For R-2 & R-3 : Mr.K.R.Bharathi Kannan

ORDER

By consent of both the parties, this writ petition is taken up for final hearing at the admission stage itself.

2.This writ petition is filed seeking to direct the respondents to consider the petitioner's representation dated 23.11.2024 to rectify the error in the petitioner's daughter's Birth Certificate registered No. 114/2009/02 dated 16.04.2012 issued by the 3rd respondent.

3.Heard the learned counsels on either sides and carefully perused the materials available on record.

4.The learned counsel for the petitioner, Mr.B.Mahendrarajan, submitted that the name of the petitioner's daughter is wrongly mentioned in her birth certificate and it is to be necessarily corrected. Hence, the present writ petition came to be filed.



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5.It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondent to consider the same on its own merits and pass appropriate orders in one way or other instead of keeping the same pending indefinitely. As such, non-consideration of the representation made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

6.Without going into the merits of this case, this Court hereby direct the respondents to consider the petitioner's representation dated 23.11.2024 and correct the mistake within a period four (4) weeks from the date of receipt of a copy of this order.

7.Accordingly, this writ petition is disposed of. There shall be no order as to the costs.

23.01.2025

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



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L.VICTORIA GOWRI, J.

Sml

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