



WA(MD). No.1081 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 22/04/2025

CORAM

THE HONOURABLE Mrs. JUSTICE J.NISHA BANU
AND
THE HONOURABLE Mrs. JUSTICE S.SRIMATHY

WA(MD). No.1081 of 2025
and CMP(MD) No.6805 of 2025

The Commissioner
Karaikudi Municipality
Karaikudi
Sivagangai District

... Appellant

V.

S.Kalimuthu

... Respondent

PRAYER :- Writ Appeal filed under Clause 15 of Letters patent against
the order of this Court dated 24.07.2024 in WP(MD). No.9032/2024.

For Appellants : Mr.EP.Venkateshwar

JUDGMENT

(Judgment of the Court was delivered by S.SRIMATHY,J.)

The respondent in the writ petition is the appellant herein.



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2. Challenging the order of the writ Court dated 24.07.2024 in

WP(MD) No.9032 of 2024, this appeal has been filed.

3. The writ petition was filed to correct the date of birth of the first respondent's son. Since his son's date of birth differed in the passport and other documents with that of the birth certificate, he filed the writ petition to alter the same. The writ Court, finding that there is a ground made out to correct the date of birth, directed the appellant herein to change the same and issue the same by making necessary corrections. Aggrieved by the same, the appellant authority is before this Court.

4. The appellant assailed the order of the writ Court on the ground that when the birth of the first respondent's son was registered in the hospital records as 21.08.1986, the same has been entered into in the birth certificate and hence, the same cannot be altered. It is their contention that the correction to be done only by the Executive Magistrate and not by the appellant. When that be the case, the writ Court directed the appellant to make necessary corrections. It is also their case that if any corrections are carried out, it should be carried out within



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a period of one year. However, in the case on hand, the petitioner has approached the Court after decades. Hence, on these grounds, the appellant seeks interference of the order of the writ Court.

5. We have considered the submissions and perused the materials available on record.

6. It is seen from the records that the date of birth of the first respondent's son was entered by the hospital authorities as 21.08.1986. However, it is the case of the respondent before the writ Court that in the passport and all other records, the date of birth of his son was mentioned as 13.05.1986. However, in the birth certificate alone, it is mentioned as 21.08.1986 and hence, his son is facing some difficulties.

7. From the above, it is clear that parallel entry cannot be made. However, it is the case of the respondent that the date of birth in the birth certificate has been inadvertently mentioned. Hence, the writ Court had rightly directed the appellant to make necessary and therefore, the grounds raised cannot be entertained in the present writ appeal.



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Accordingly, the writ appeal is dismissed. No costs. Consequently
connected Miscellaneous Petition is closed.

[J.N.B.,J]

[S.S.Y.,J]

25.04.2025

NCC : Yes/No
Index : Yes/No

RR



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J.NISHA BANU, J
AND
S.SRIMATHY, J.

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ORDER
IN
WA(MD) No.1081 of 2025

Date : 25/04/2025