



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 10.02.2025

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**THE HONOURABLE MRS.JUSTICE J. NISHA BANU
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

C.M.P(MD)No.4103 of 2024

in W.A(MD)SR.No.14869 of 2024

and W.A(MD)SR.No.14869 of 2024

A.Dinesh Jeyasingh

... Petitioner

Vs.

1.J.Angel Esther Rani

2.The District Collector,
Kanniyakumari District,
At Nagercoil.

3.The Deputy Director of Health Services,
Krishnankovil,
Nagercoil,
Kanniyakumari District.

4.The Registrar of Births and Deaths,
Nagercoil Corporation,
Kanniyakumari District.

... Respondents

Prayer in C.M.P(MD)No.4103 of 2024:- Petition is filed under Section 5 of the Limitation Act to condone the delay of 2010 days in filing W.A(MD)SR.No.14869 of 2024

Prayer in W.A(MD)SR.No.14869 of 2024:- Writ Appeal is filed under Clause 15 of the Letters Patent against the order passed by this Court in W.P(MD)No.31037 of 2023 dated 22.12.2023.



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C.M.P(MD)No.4103 of 20



For Petitioner : Mr.G.Aravinthan
For R – 1 : Mr.B.Brijesh Kishore
For RR 2 to 4 : M/s.D.Farzana Ghoushia
Special Government Pleader

ORDER

C.M.P(MD)No.4103 of 2024 has been filed to condone the delay of 36 days in filing the Writ Appeal against the order passed by the learned Single Judge in W.P(MD)No.31037 of 2023 dated 22.12.2023.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The petitioner, who is a third party in the writ petition, got married to the first respondent on 16.09.2020. Out of the wedlock, a female child was born on 02.05.2022. There was a marital strain in the relationship between the petitioner and the first respondent and therefore, the child is under the custody of the first respondent. Original name of the child was D.Katelyn Anna and behind her back, the name of the child was changed as D.Regina by the petitioner. Hence, the petitioner has filed the Writ Petition.



4.The learned Single Judge of this Court directed the first respondent to submit a fresh representation before the fourth respondent herein and directed the fourth respondent to issue notice to the petitioner, who is not a party in the Writ Petition and further stated that if the name change had taken place in the meanwhile without notice to the first respondent herein, the original name shall be restored. Challenging the same, the petitioner has filed the Writ Appeal.

5.Perusal of the order passed by the learned Single Judge would reveal that the original name of the child shall be restored by giving notice to the petitioner herein and the authority concerned was directed to complete the entire exercise within a period of twelve weeks. In view of the above, we do not find any illegality or irregularity in the order passed by the learned Single Judge of this Court. Accordingly, this petition is devoid of merits and the same is dismissed. No costs. Consequently, connected W.A(MD)SR.No.14869 of 2024 is dismissed, at the S.R stage itself.

[J.N.B.,J.] & [L.V.G.,J.]
10.02.2025

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

- 1.The District Collector,
Kanniyakumari District,
At Nagercoil.
- 2.The Deputy Director of Health Services,
Krishnankovil,
Nagercoil,
Kanniyakumari District.
- 3.The Registrar of Births and Deaths,
Nagercoil Corporation,
Kanyakumari District.



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J.NISHA BANU, J.
and
L.VICTORIA GOWRI, J.

ps

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in W.A(MD)SR.No.14869 of 2024
and W.A(MD)SR.No.14869 of 2024

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