



W.P.(MD)No.26888 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.11.2025**

CORAM:

THE HONOURABLE **Dr.JUSTICE ANITA SUMANTH**
AND
THE HONOURABLE **MR.JUSTICE C.KUMARAPPAN**

W.P.(MD)No.26888 of 2025 &
W.M.P.(MD)Nos.20875, 20876, 20877 of 2025

Kamali

... Petitioner

/Vs./

1.The District Collector,
Madurai, Madurai District.

2.The Revenue Divisional Officer,
Madurai, Madurai District.

3.The Tahsildar,
Madurai North, Madurai District.

4.Dhanalakshmi

5.C.Varadharajan

6.Muthu

... Respondents

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India praying to issue a writ of certiorari calling for the records

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pertaining to the impugned order passed by the second respondent in Moo.Mu.No/7950/2022/F dated 31.03.2023 and quash the same.

For Petitioner : Mr.K.Navaneetharaja

For Respondents : Mr.S.P.Maharajan,
Special Government Pleader
for R1 to R3

ORDER

(Order of the Court was made by **Dr.ANITA SUMANTH, J.**)

The petitioner has challenged the proceedings dated 31.03.2023 of the Revenue Divisional Officer, Madurai cancelling the Community Certificate bearing No.TN-5202001132835.

2. Under that Certificate, the petitioner has been Certified to be the daughter of one Varadharajan residing at Door No.1E, Thiruvappudaiyar Kovil 1st street, Sellur, Madurai and belonging to Piramalai Kallar community recognised as a denotified tribe as per G.O. (Ms.)No.28, Backward Classes and Most Backward Classes Welfare Department, dated 19.07.1994.

3. The challenge is on various grounds including that the earlier Certificate obtained by the petitioner, which certifies that the



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petitioner is the daughter of one Muthu residing at Door No.G/12, Veppanuthu Post, S.Palani Patti street, Sinthupatti Village, Usilampatti Taluk, Madurai District, also as denotified community is incorrect, as DNA results taken, according to the petitioner, establishes that Muthu is not her father, but that Varadharajan is her father.

4. Mr.S.P.Maharajan, learned Special Government Pleader, who appears for R1 to R3 draws our attention to the writ petition filed by one Dhanalakshmi, mother of the present petitioner, wherein, the prayer was for a certiorarified mandamus calling for and quashing the order passed by the Commissioner, Madurai Corporation on 31.08.2023 and to re-issue the Birth Certificate to her children, Kamali (the present writ petitioner) and Vasanthakumar by correcting the father's name as Varadharajan.

5. That writ petition came to be dismissed on 21.01.2025. The discussion reads as follows:-

3. The petitioner got married to one C.Varatharajan @ Muthu and gave birth two children. Thereafter, her husband, viz., C.Varatharajan @ Muthu, who is the third respondent herein got married with another woman by deserting the petitioner and her children. After birth of her children, their births were registered by mentioning



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the third respondent's name as Muthu. Therefore, the petitioner submitted representation to implead the third respondent as father instead of Muthu.

4. On perusal of the counter filed by the third respondent and on submissions made by the learned counsel for the respondents, it revealed that the petitioner originally got married with one Muthu. After their wedlock, they gave birth two children and their birth were duly registered by mentioning father's name as Muthu. After registration, they have issued birth certificate mentioned as Muthu. After their birth, the petitioner had relationship with the third respondent. After the marriage of the third respondent with another woman, the petitioner is living with her husband Muthu, under the same shelter. In order to extract money from the third respondent, the petitioner now wants to add the third respondent's name as father in the birth certificate of her children.

5. That apart, according to the petitioner, she got married with the third respondent on 20.08.2004, whereas, the first child was born on 20.05.2005. Therefore, it is not possible to give birth on 20.05.2005, if the petitioner got married with the third respondent on 20.08.2004. Therefore, the disputed question of facts cannot be settled here that too under Article 226 of the Constitution of India. Further, the petitioner also failed to produce any proof that she got married with the third respondent and gave birth to the children.

6. Therefore, this Court finds no infirmity or illegality in the order passed by the second respondent and the writ petition is liable to be dismissed. Accordingly, this Writ Petition stands dismissed. However, the petitioner is at liberty to approach the civil Court to declare as she is the legally wedded wife. If she succeeds, she can very well approach the second respondent for change of her husband's name in the birth certificate of her children. No costs. Consequently, connected Miscellaneous



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Petition is closed.

6. That order has become final. Though the learned counsel for the petitioner is unaware of whether any proceedings have been instituted before the Civil Court, we agree with the position that a disputed question of fact as to whether the petitioner's father is Muthu or Varatharajan is not one that can be decided in a writ petition.

7. The grievance of the petitioner is that if the second Certificate was to remain quashed, then she would be left without a community. This apprehension is misplaced in light of Community Certificate bearing No.7CCB688A6A687B86.

8. The writ petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

[A.S.M.J.] & [C.K.J.]
24.11.2025

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