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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.4699 of 2026

Thaslima Parveen

...Petitioner

Vs

The Executive Officer,
Ilaiyangudi Town Panchayat,
Ilaiyangudi,
Sivagangai District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to cancel the Birth Certificate registered on 30.11.1994 under Registration No.1409/1994/01 in the Petitioner's name by considering her representation dated 14.01.2026 within the time stipulated by this Court and for other reliefs.

For Petitioner : M/s.J.Lawrance

For Respondent : Mr.B.Ramanathan
Additional Government Pleader

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ORDER

The present writ petition has been filed seeking a mandamus directing the respondent to cancel the birth certificate issued of the writ petitioner that was registered on 30.11.1994 under registration No.1409/1994/1 by considering the representation of the petitioner dated 14.01.2026.

2. The petitioner was born on 05.05.1994. However, under the misunderstanding that her birth was not registered, the petitioner's mother has filed B/D.No.315 of 2013 before the District Munsif cum Judicial Magistrate Court, Ilayankudi, seeking a direction to the respondent to register the birth of the petitioner and issue a birth certificate. Based upon the orders passed by the learned Judicial Magistrate on 10.05.2013, the birth certificate was issued to the petitioner on 27.05.2013 incorporating the date of birth as 05.05.1994.

3. The learned Counsel appearing for the writ petitioner submitted that only thereafter, she came to know that her birth has already been registered before the respondent on 30.11.1994 itself wherein the date of birth is wrongly mentioned as 26.11.1994. Therefore, the petitioner has sent a representation to cancel the first birth certificate that was registered on 30.11.1994. Since the request was not considered, the present writ petition has been filed.



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4. The learned Additional Government Pleader appearing for the respondent pointed out that there is no provision under the Act for cancellation of the birth certificate. The petitioner had wrongly approached the Judicial Magistrate Court and obtained an order as if the birth of the petitioner has not been registered. Therefore, it is for the petitioner to approach the concerned Court to recall the order so that they can cancel the second certificate that was issued on 27.05.2013.

5. I have considered the submissions made on either side and perused the materials available on record.

6. Considering the above said facts, the petitioner is directed to approach the concerned Judicial Magistrate Court seeking to recall the order dated 10.05.2013 passed in B.D.No.315 of 2013. In case if any order is passed by the concerned Court recalling the said order, based upon the same, the second certificate issued by the respondent on 27.05.2013 shall be cancelled. Thereafter, the petitioner is at liberty to approach the respondent to rectify the date of birth in the certificate, that was issued on 30.11.1994 as 05.05.1994.



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R.VIJAYAKUMAR, J.

RJR

7. With the above said observations, this writ petition stands disposed of.

No costs.

19.02.2026

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

To

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