



CNR: KAHC010286492025

NC: 2026:KHC:52075
WP No. 14630 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

WRIT PETITION NO.14630 OF 2025 (GM-RES)

BETWEEN:

SMT. B.M. BORAMMA
W/O LATE SRI. RAMEGOWDA
AGED ABOUT 90 YEARS,
RESIDING AT NO.1133/C,
SWEEPERS COLONY,
2ND MAIN ROAD, GOKULAM,
MYSORE – 570002.

...PETITIONER

(BY SRI. NAVEEN KUMAR M., ADVOCATE FOR
SRI. AJAY J. NANDALIKE, ADVOCATE)

AND:

1. THE REGISTRAR OF BIRTHS
AND DEATHS, MYSORE
HAVING OFFICE AT BIRTH &
DEATH SECTION
MYSORE CITY CORPORATION,
SAYYAJI RAO ROAD, AGRAHARA,
CHAMRAJPURA, MYSURU – 570024.

2. MEDICAL OFFICER,
MYSORE CITY CORPORATION
HAVING OFFICE AT BIRTH &
DEATH SECTION MYSORE CITY
CORPORATION, SAYYAJI RAO ROAD,
AGRAHARA, CHAMRAJPURA,
MYSURU – 570024.

...RESPONDENTS

(BY SMT. M.P. GEETHA DEVI, ADVOCATE FOR R-1 & R-2)

Digitally signed
by
MAHALAKSHMI
B M

Location: High
Court of
Karnataka



CNR: KAHC010286492025

NC: 2026:KHC:52075
WP No. 14630 of 2025

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE ENDORSEMENT LETTER 01.03.2024 BEARING NO. MAINAPA/JA.MA.SHAKHE/12/2023-24 (ANNEXURE-A) ISSUED BY THE OFFICE OF THE RESPONDENT HEREIN; AND CONSEQUENTLY ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENT AUTHORITY TO RECTIFY THE NAME OF THE FATHER OF THE PETITIONER'S HUSBAND IN THE DEATH CERTIFICATE OF THE PETITIONER'S HUSBAND BEARING NO.803194/U/D/1956/001988 DATED 15.09.2022 (ANNEXURE-B) AS "CHELUVEGOWDA" INSTEAD OF "KRISHNEGOWDA".

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MRS. JUSTICE K.S. HEMALEKHA

ORAL ORDER

1. The petitioner has approached this Court seeking to quash the endorsement dated 01.03.2024 passed by respondent No.1- Registrar of Births and Deaths, Mysuru City Corporation and consequently, for a direction to rectify the name of the father of the petitioner's deceased husband in the death certificate of the petitioner's deceased husband dated 15.09.2022 as "Cheluvegowda" instead of "Krishnegowda".

Brief facts

2. The petitioner's husband, Sri Ramegowda, expired at his residence due to old age on 26.06.1956. Respondent No.1



NC: 2026:KHC:52075
WP No. 14630 of 2025

registered the death of late Sri Ramegowda in the Death Register of the Mysuru City Corporation on 30.06.1956. Pursuant to the application submitted by the petitioner, a death certificate of her deceased husband was issued. On noticing that the name of the father of the petitioner's deceased husband had been incorrectly entered in the death certificate, the petitioner submitted an application to the Mysuru City Corporation seeking rectification of the said entry. Respondent No.1-authority refused to rectify the error and issued an endorsement dated 14.09.2022.

3. Aggrieved by the said endorsement, the petitioner approached the Civil Court in Crl.Misc.No.981/2022, which came to be dismissed vide order dated 16.03.2023 on the ground of jurisdiction. Thereafter, the petitioner approached this Court challenging the said endorsement in W.P.No.11927/2023 [LB-RES]. This Court, by an order dated 09.01.2024, disposed of the writ petition, observed that the power to rectify errors in names entered in the Register of Births and Deaths flows from Section 15 of the Registration of Births and Deaths Act, 1969 [**the Act**] read with Rule 11(4) of the Karnataka Registration of Births and Deaths Rules, 1999 [**the Rules**] and set aside the impugned endorsement



therein, directing the authority to reconsider the same in accordance with law.

4. Pursuant thereto, the impugned endorsement dated 01.03.2024 came to be passed, stating that the petitioner had not produced primary identity documents belonging to her deceased husband and her father-in-law, such as Voter ID, ration card, PAN card, passport, driving licence, Adhaar card, SSLC/PUC marks card, to establish that the name registered was completely wrong or had been fraudulently entered. The authority consequently arrived at the conclusion that there was no valid basis under the Rules to completely change or delete the name of the father of the petitioner's deceased husband and rejected the petitioner's representation.

Submissions

5. Learned counsel for the petitioner submits that a statutory power is conferred upon the Registrar under Section 15 of the Act to make necessary corrections and that the petitioner has a legal right under the Act to seek correction of an erroneous entry in the death certificate, which has been illegally denied. It is his



submission that Rule 11(4) of the Rules prescribes the procedure for such correction and permits that Registrar to correct the entry in the manner prescribed under Section 15 of the Act upon production by the concerned person of a declaration setting forth nature of the error and the true facts of the case, made by two credible persons having knowledge of the facts of the case.

6. It is his contention that the name of the father of the deceased husband was entered as “Krishnegowda” instead of “Cheluvegowda” in the death certificate. According to the petitioner, the same constitutes an error in the entry in the Register of Births and Deaths and is liable to be corrected in terms of Section 15 of the Act read with Rule 11(4) of the Rules. He submits that calling upon the petitioner to produce the Voter ID, ration card, PAN card and other such documents is wholly erroneous and is not contemplated under Rule 11(4) of the Rules.

7. *Per contra*, learned counsel for the respondents sought to justify the impugned endorsement and submits that the requisite documents ought to have been submitted before the Registrar of Births and Deaths, Mysuru City Corporation. However, in the



CNR: KAHC010286492025

NC: 2026:KHC:52075
WP No. 14630 of 2025

present case, the documents were submitted before an authority which was not competent to receive the same. He further submits that the documents sought by the respondent have not been produced. In the circumstances, he contends that the impugned endorsement does not warrant interference by this Court.

Reasons and conclusion

8. Section 15 of the Act reads as under:

“15. Correction or cancellation of entry in the register of births and deaths.—If it is proved to the satisfaction of the Registrar that any entry of a birth or death in any register kept by him under this Act is erroneous in form or substance, or has been fraudulently or improperly made, he may, subject to such rules as may be made by the State Government with respect to the conditions on which and the circumstances in which such entries may be corrected or cancelled, correct the error or cancel the entry by suitable entry in the margin, without any alteration of the original entry, and shall sign the marginal entry and add thereto the date of the correction or cancellation.”

9. Section 15 of the Act empowers correction or cancellation of an entry in the register of births and deaths where it is proved to the satisfaction of the Registrar that such entry is erroneous in form



CNR: KAHC010286492025

NC: 2026:KHC:52075
WP No. 14630 of 2025

or substance, or has been fraudulently or improperly made. The exercise of such power is, however, subject to the rules framed by the State Government prescribing the conditions and circumstances in which such correction or cancellation may be effected.

10. Rule 11(4) of the Rules reads as under:

“11. Correction or cancellation of entry in the register of births and deaths.-(1) x x x

(4) If any person asserts that any entry in the register of births and deaths is erroneous in substance, the Registrar may correct the entry in the manner prescribed under Section 15 upon production by that person a declaration setting forth nature of the error and true facts of the case made by two credible persons having knowledge of the facts of the case.”

11. Rule 11(4) of the Rules specifically deals with an entry alleged to be erroneous in substance. It provides that the Registrar may correct such entry in the manner contemplated under Section 15 of the Act upon production of a declaration setting forth the nature of error and true facts of the case, made by two credible persons having knowledge of the facts of the case. Thus, Section



CNR: KAHC010286492025

**NC: 2026:KHC:52075
WP No. 14630 of 2025**

15 of the Act read with 11(4) of the Rules not only confers jurisdiction upon the Registrar to correct an erroneous entry, but also prescribes the material on the basis of which such request is required to be considered.

12. In the present case, the correction sought relates to the name of the father of the petitioner's deceased husband, which is recorded as "Krishnegowda", whereas, according to the petitioner, the correct name is "Cheluvegowda". The petitioner has produced affidavits of two persons at Annexures-M and N, who are stated to have knowledge of the facts, in support of the corrections sought.

13. The impugned endorsement, however, proceeds principally on the ground that the petitioner has not produced documents such as Voter ID, ration card, PAN card, passport, driving licence, Aadhaar card and SSLC/PUC marks card, pertaining to her deceased husband and father-in-law. On that basis, respondent No.1 has concluded that there is no material to establish that existing entry is wholly incorrect and that the same cannot be completely changed or deleted.



CNR: KAHC010286492025

**NC: 2026:KHC:52075
WP No. 14630 of 2025**

14. Such consideration, in the facts of the present case, cannot be sustained. When the petitioner asserts that the entry is erroneous in substance, her request is required to be examined in the manner contemplated under Section 15 of the Act read with Rule 11(4) of the Rules. The material expressly contemplated under Rule 11(4), namely, declaration of two credible persons having knowledge of the facts, has been produced by the petitioner. Significantly, the impugned endorsement does not disclose any consideration of the affidavits at Annexures-M and N, nor does it record any finding as to why those declarations are unacceptable or insufficient for the purposes of Rule 11(4) of the Rules.

15. It is also relevant to note that, in the earlier round of litigation in W.P.No.11927/2023, this Court had set aside the earlier endorsement dated 14.09.2022 and directed re-consideration of the petitioner's request in view of Section 15 of the Act read with Rule 11(4) of the Rules. Respondent No.1 was, therefore, required to reconsider the matter by applying the statutory parameters governing correction of an entry. The impugned endorsement, instead of examining the declarations and other material produced



by the petitioner in that perspective, has proceeded substantially on the non-production of the aforesaid identity documents.

16. It must, however, be clarified that this Court is not recording a finding that the name "Cheluvegowda", stands conclusively established or that the correction sought must necessarily be carried out. Satisfaction as to whether the existing entry is erroneous and whether the correction sought is warranted is, in the first instance, required to be arrived at by the Registrar in exercise of the statutory power under Section 15 of the Act. What renders the impugned endorsement unsustainable is the failure to consider the petitioner's request and the declarations produced by her in the manner contemplated under Rule 11(4) of the Rules.

17. In view of the above, the impugned endorsement dated 01.03.2024 calls for interference and the matter requires reconsideration by respondent No.1 in accordance with Section 15 of the Act read with Rule 11(4) of the Rules. Accordingly, this Court pass the following:

ORDER

- i. The writ petition is ***allowed in part.***



CNR: KAHC010286492025

NC: 2026:KHC:52075
WP No. 14630 of 2025

- ii. The impugned endorsement dated 01.03.2024 issued by respondent No.1 is hereby ***quashed***.
- iii. Respondent No.1-Registrar of Births and Deaths, Mysuru City Corporation, is directed to reconsider the petitioner's representation seeking correction of the name of the father of the petitioner's deceased husband from "Krishnegowda" to "Cheluvegowda", in accordance with Section 15 of the Registration of Births and Deaths Act, 1969 read with Rule 11(4) of the Karnataka Registration of Births and Deaths Rules, 1999, after taking into consideration the declarations/affidavits (Annexures-M and N) and such other material as may be relevant.
- iv. Such consideration shall be completed and an appropriate order shall be passed within a period of two months from date.

Sd/-

JUSTICE K.S. HEMALEKHA

AT
List No.: 1 SI No.: 23