



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 13<sup>TH</sup> DAY OF JULY, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE B M SHYAM PRASAD**

**WRIT PETITION NO. 18569 OF 2026 (LB-RES)**

**BETWEEN:**

DR ARCHANA N  
W/O CHANDRASHEKHAR G,  
R/A SHARADA DHANVANTARI  
CHARITABLE HOSPITAL QUATRES,  
AGUMBE ROAD, NEAR BETTADA,  
MALIKAMBA TEMPLE, SRINGERI,  
CHIKKAMAGALURU,  
KARNATAKA, 577139  
AGED ABOUT 35 YEARS

...PETITIONER

(BY SRI. ABHINAY.S., ADVOCATE)

**AND:**

1. THE STATE OF KARNATAKA  
THROUGH ITS PRINCIPAL SECRETARY,  
URBAN DEVELOPMENT DEPARTMENT,  
VIKASA SOUDHA,  
BENGALURU 560001.
2. THE REGISTRAR OF BIRTHS AND DEATHS,  
OFFICE OF THE ASSISTANT DIRECTOR

Digitally  
signed by  
VANAMALA  
N  
Location:  
HIGH  
COURT OF  
KARNATAKA



TUMKUR MUNICIPAL AUTHORITY,  
TUMKUR CITY MUNICIPAL CORPORATION  
TUMKUR 572101.

3. SRI. SANJAY S,  
S/O. SEETHARAM N. V.,  
AGED ABOUT 39 YEARS.  
33, 2<sup>ND</sup> MAIN, 3<sup>RD</sup> CROSS,  
ASHWATTA KATTE ROAD,  
CHAMUNDESHWARI LAYOUT,  
DODDABOMMASANDRA,  
BANGALORE 560097.

...RESPONDENTS

(BY SRI.KENCHEGOWDA., AGA FOR R1;  
SMT. SAKSHI M. KRISHNA., ADVOCATE FOR  
SRI. R. SUBRAMANY., ADVOCATE FOR R2;  
SMT. JYOTHI S KEMPANNA., ADVOCATE FOR R3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227  
OF THE CONSTITUTION OF INDIA PRAYING TO THE  
ISSUE A WRIT OF MANDAMUS OR ANY OTHER  
APPROPRIATE WRIT, ORDER, OR DIRECTION,  
DIRECTING THE RESPONDENTS TO CONSIDER  
PETITIONER'S REPRESENTATION LETTER DATED  
16.02.2026 SUBMITTED COMMISSIONER OF THE  
REGISTRAR OF BIRTHS AND DEATHS, OFFICE OF THE  
ASSISTANT DIRECTOR, TUMKUR CITY MUNICIPAL  
CORPORATION (VIDE ANNEXURE-D)IN BIRTH DATE  
DIRECTING THE RESPONDENTS TO EFFECT THE  
CHANGE OF THE FATHER'S NAME IN THE BIRTH



CERTIFICATE OF THE MINOR CHILD (VIDE ANNEXURE-A) DATED 30.10.2019 SHIVABHINAVA, BY SUBSTITUTING THE NAME OF THE PETITIONER'S PRESENT HUSBAND, MR. CHANDRASHEKHAR G. BY FORMULATING APPROPRIATE PROCEDURES AS REQUIRED UNDER LAW; III. DIRECT THE RESPONDENTS TO COMPLETE THE SAID CORRECTION WITHIN A STRICTLY TIME-BOUND PERIOD IN ACCORDANCE WITH LAW.

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

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD

**ORAL ORDER**

The petitioner is the mother of a minor, who is aged about seven years. The petitioner seeks directions to the authorities to consider her representation dated 16.02.2026 [*Annexure-D*] and enter the name of 'Mr. Chandrashekhhar G' as the child's father in the Register of Births [*the Register*] maintained under the Births and Registration Act, 1969.



2. The petitioner has sought for this direction asserting that her marriage to Mr. Sanjay S. [*the third respondent*] was solemnized on 06.12.2015; that the child is born on 03.10.2019; that her marriage to Mr. Sanjay S is dissolved on 26.06.2023; that Mr. Sanjay S has agreed that the petitioner will have permanent custody of the child; and that she is now married to Mr. Chandrashekhar G and both of them are bringing up the child together.

3. Mr. Abhinay S., the learned counsel for the petitioner, relies upon a string of judgments by different High Courts to contend that the passport for a child in similar circumstances is issued showing the name of either the single mother or the mother's spouse as of the date of the application when there is consent. The learned counsel submits that because Mr. Sanjay S has consented there could be a change as requested.



4. Ms. Jyothi S Kempanna, the learned counsel on record for Mr. Sanjay S. [*the third respondent*], submits that he has voluntarily agreed to the petitioner having the permanent custody and guardianship of the child and he has therefore paid a substantial sum as agreed between the parties to cover all future expenses. Significantly, Mr. Sanjay S. has filed a memo stating that he has no objection in allowing the petitioner's application permitting the name of the petitioner and Mr Chandrashekhar. G to be mentioned as the parents of the child in the Register. Ms. Sakshi M. Krishna, the learned counsel for the second respondent, is heard in these circumstances.

5. The consent amongst the parties presents peculiarities for this Court to decide on the outcome in the petition. The petitioner, Mr. Sanjay S. [*the third respondent*] and Mr. Chandrashekhar. G have agreed amongst themselves as to who will be recognized as



the child's parents. This culminates all disputes, even dispute about who the child's known parents will be. It is in this backdrop that this Court must decide based on what would be in the child's best interest rather than pronounce on different aspects which can be examined in a separate set of circumstances. This Court is persuaded to opine that the consensus serves the interest of the child and that the petition must be disposed in the peculiarities directing the second respondent to enter names of the petitioner and Mr. Chandrashekhar G. as parents of the child in the register if both the petitioner and Mr. Chandrashekar G. make an application together and issue Birth Certificate accordingly. Hence, the following:

**ORDER**

**[A]** The petition is allowed directing the second respondent to enter the names of the petitioner and Sri Chandrashekhar G.



as parents of the child in the Register if both the petitioner and Mr. Chandrashekar G. make an application together and issue a Birth Certificate accordingly.

**[B]** The petitioner is reserved with liberty to file a certified copy of this Order with the second respondent within a week from the date of receipt thereof and the second respondent is directed to comply with the afore direction within six [6] weeks therefrom.

**Sd/-**  
**(B M SHYAM PRASAD)**  
**JUDGE**

SA  
Ct:sr