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WP No. 9893 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 9893 of 2026

AND

WMP NO. 11272 OF 2026

1. K.Uma Maheshwari
W/o.A.Kaja Mohideen
No.823, 24th street
B.V.colony
Vyasarpadi,
Chennai-600 039
2. A.Kaja Mohideen
S/o.Abdul kareem
No.823, 24th street
B.V.colony
Vyasarpadi,
Chennai-600 039

..Petitioner(s)

Vs

1. Cemonc Centre
The Government HQ Hospital
Mannargudi
Tiruvapur District -614 001
2. Directorate of Stationery and printing
The Gazette office
No.110, anna salai
Chintadripet
Chennai-600 002
3. The Government Hospital CWC
No.40 Thiruvengadasamy street,
Pulianthope
chennai-600 012
4. The Registrar of Birth and Deaths
The Greater chennai corporation
Division 073 zone 06
No.158, Strahans road,



Oattalam,
Chennai-600 012

5. K.Prakash
No.43/52,Mathur
1st cross road,
1st main Road
chennai-600 068

..Respondent(s)

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of writ of Mandamus directing the 2nd respondent to rectify the name of the father column in birth certificate of the Baby Nainika by substituting name of the 5th respondent with that of the 2nd petitioner A.Kaja Mohideen who is the biological father and husband of the petitioner in respect of the fee already paid on 20.8.2025 vide challan No.20250820003194

For Petitioner(s): Mr.R.Anandh

For Respondent(s): Mr.E.Sundaran, Government Advocate for R1 to R3
Mr.L.Ramanathan, for R5
Mr.E.L.Ramesh for R4

Order

The petitioner has filed this petition to direct the 2nd respondent to rectify the name of the father column in birth certificate of the Baby Nainika by substituting name of the 5th respondent with that of the 2nd petitioner A.Kaja Mohideen who is the biological father and husband of the petitioner.



2. Case of the petitioner is that the marriage between the 1st petitioner and the 2nd petitioner was solemnized on 11.12.2019 in accordance with Muslim customs and rites. After the marriage, in the month of march 2020, the 1st petitioner was temporarily resided at the residence of her family friend at Mannargudi District, Thiruvarur, since the 2nd petitioner was stationed outside for his employment. Thereafter, the 1st petitioner was in family way and owing to the medical emergency, the 5th respondent herein, who is the brother of the 1st petitioner's friend, had affixed his signature as an attendant for procedural compliance, however in the Birth Certificate, the 5th respondent name was mentioned as father. Hence, the petitioners made repeated representations before the hospital administration seeking correction/rectification of the father's name in the records maintained by the Government Hospital, Mannarkudi. Since all the efforts of the petitioners went in vain, they are before this Court.

3. The learned counsel for the petitioner would submit that the 5th respondent affixed his signature purely for emergency medical and procedural compliance and hence, prays this Court to issue direction to the respondents to rectify the error in the birth certificate.

4. The learned counsel for the 5th respondent submitted that the 5th respondent is a married individual and leading a peaceful and undisturbed



family life. However, the incorrect entry in the child's birth certificate has affected his personal dignity and privacy and prays for appropriate order.

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5. The learned standing counsel appearing for the 4th respondent would submit that the 1st petitioner and the 5th respondent made declaration before the official respondent and on their declaration only, the birth certificate was issued and prays for dismissal of this petition.

6. Heard the respective learned counsel for the parties and also perused the materials available on record.

7. Though the petitioners contend that they are husband and wife and the child was born to them and that an inadvertent mistake occurred by incorporating the name of the 5th respondent as the biological father, the birth certificate was issued solely on the basis of the declaration submitted by them after the birth of the child. has been issued only based on their declaration to be submitted after the birth of the child. The submission of the learned Standing Counsel is that the 1st petitioner and the 5th respondent themselves submitted an online declaration, on the basis of which, the birth certificate was issued. If the petitioners have any grievance in this regard, the same cannot be rectified in proceedings under Article 226 of the Constitution of India. Therefore, they are at liberty to approach the Civil Court for appropriate relief.



23-03-2026

Neutral Citation: Yes/No

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