



W.P(MD)No.21011 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.21011 of 2026

K.Sangili Rajan

... Petitioner

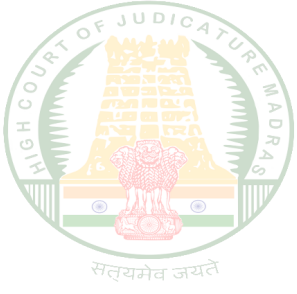
Vs

1.The Commissioner of Corporation,
Office at Madurai Corporation,
Aringar Anna Maligai,
Tallakulam,
Madurai.

2.The Sanitary Inspector cum Birth and Death Registrar,
Office at Madurai Corporation,
Aringar Anna Maligai,
Tallakulam,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order dated 30.06.2026 passed by the first respondent in (H-5) Oo.Moo./006658/2026 and to quash the same as arbitrary and illegal and consequently direct the first respondent to issue birth certificate to the



W.P(MD)No.21011 of 2026

petitioner's daughter by correcting the name in English as Karthigayini S.T. instead of S.T.Karthigayini and in Tamil as fhh;j;jpfhapdp r.j instead of v].;b. fhh;j;jpfhapdp within a time frame as fixed by this Court.

For Petitioner : Mr.H.Mohammed Farook

For Respondents : Mr.K.Sivabalan (R1)

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order dated 30.06.2026 passed by the first respondent, quash the same, and consequently direct the first respondent to issue a Birth Certificate to the petitioner's daughter by correcting her name in English as "Karthigayini S.T." instead of "S.T. Karthigayini" and in Tamil as "கார்த்திகாயினி ச.த" instead of "எஸ்.டி. கார்த்திகாயினி", within a time frame to be fixed by this Court.

2.The learned counsel appearing for the petitioner submitted that the petitioner's daughter, namely, S.T. Karthigayini, was born on 26.08.2011



W.P(MD)No.21011 of 2026

WEB COPY

and is presently studying in the X Standard at Sirumalar Girls Higher Secondary School, Nagamalai Pudukottai, Madurai. It is submitted that the petitioner had initially obtained the Birth Certificate of his daughter with her name recorded as T.S. Karthigayini. Thereafter, he submitted an application seeking correction of the initials from T.S. to S.T. Pursuant thereto, an English copy of the Birth Certificate (Sl. No.255661) was issued on 29.09.2015 showing the name as S.T. Karthigayini. A Tamil copy of the Birth Certificate (Sl. No.228109) was also issued on 15.07.2015. However, in the Tamil Birth Certificate, the initials were incorrectly reflected, necessitating a further correction. Accordingly, the petitioner submitted an application dated 19.05.2025 under Section 15 of the Registration of Births and Deaths Act, 1969, seeking correction of the initials in the Tamil Birth Certificate. However, the first respondent, by the impugned order dated 30.06.2026, rejected the petitioner's request on the ground that the name in the Birth Certificate could not be changed for a second time. It is further submitted that the petitioner's daughter is due to appear for the SSLC Public Examination during the current academic year and that the correct name and



W.P(MD)No.21011 of 2026

WEB COPY

initials are required to be reflected in the Birth Certificate for issuance of the Hall Ticket. Hence, the present Writ Petition.

3.The learned counsel appearing for the petitioner submitted that the power to correct the entries in the Birth Register is specifically conferred upon the respondents under Section 15 of the Registration of Births and Deaths Act, 1969. However, instead of exercising the statutory power vested in them, the petitioner's request has been rejected on the erroneous ground that there is no provision enabling such correction. In support of his contention, the learned counsel placed reliance on the judgment of the Division Bench of this Court in W.A. No.610 of 2016, dated 10.06.2016, in ***The Commissioner, Pallavaram Municipality v. S.K. Syed Rafiullah and Others [2016 (4) CTC 868]***, and prayed for allowing the Writ Petition.

4.Per contra, the learned Standing Counsel appearing for the first respondent submitted that where the name of a person is changed after the registration of birth and a Gazette Notification has been issued in that regard,



W.P(MD)No.21011 of 2026

WEB COPY

the Birth Certificate and the Gazette Notification have to be relied upon for their respective purposes, namely, proof of date of birth and proof of change of name. According to the learned Standing Counsel, there is no provision under the Registration of Births and Deaths Act, 1969, for changing the name in the Birth Register on a second occasion. Therefore, the impugned order does not warrant any interference.

5.Heard the learned counsel appearing on either side and perused the materials available on record.

6.Though it is the submission of the learned Standing Counsel for the first respondent that there is no provision under the Act for carrying out the correction sought by the petitioner, this Court is unable to accept the said contention. There is no statutory bar under the Registration of Births and Deaths Act, 1969, preventing the Registrar from carrying out a correction in an appropriate case. On the contrary, Section 15 of the Act empowers the Registrar to correct an entry found to be erroneous in form or



W.P(MD)No.21011 of 2026

WEB COPY

substance, subject to the prescribed procedure. In this regard, the decision of the Division Bench in ***S.K. Syed Rafiullah*** squarely applies to the facts of the present case.

7. In ***S.K. Syed Rafiullah***, the Division Bench, while dealing with a similar issue, held as follows:

"3. Under Section 15 of the abovesaid Act, what is contemplated is that 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 the 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 correction or cancelled, correct the error or cancel the entry by suitable entry in the margin, without any alternation of the original entry, and shall sign the marginal entry and add thereto the date of the correction or cancellation. The above section provides the procedure to be followed by the Registrar on such application being made. He is vested with the power to correct the error or cancel the entry by suitable entry in the margin, without any alternation of the original entry, and shall sign the marginal entry and add thereto the date of the correction of cancellation. It

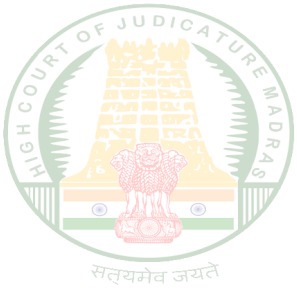


W.P(MD)No.21011 of 2026

WEB COPY *does not necessarily mean that the entry cannot be made by way of alteration. What is contemplated is that in the place of entries being made, on satisfaction of the Registrar, he can only make a marginal entry and not alter the original entry.*

4.Anyhow, it is not even a question of change or alteration of date of birth or death. It is only the change of name of the minor child based on a publication in the Government Gazette. Therefore, the Officer concerned is duty bound to change the name and issue the Birth Certificate afresh and it will not be in violation of Section 15 of the abovesaid Act. As such, we do not find any merit in the appeal filed by the Commissioner of Pallavaram Municipality and the same is dismissed."

8.In view of the law laid down by the Division Bench in ***S.K.Syed Rafiullah***, which squarely governs the present case, the impugned order dated 30.06.2026 is set aside. The first respondent is directed to issue a fresh Birth Certificate to the petitioner's daughter by correcting her name in English as "Karthigayini S.T." instead of "S.T. Karthigayini" and in Tamil as "கார்த்திகாயினி ச.த" instead of "எஸ்.டி. கார்த்திகாயினி", within a period of four (4) weeks from the date of receipt of a copy of this order.



W.P(MD)No.21011 of 2026

WEB COPY

9. Accordingly, the Writ Petition is allowed. There shall be no order as to costs.

29.07.2026

NCC : Yes / No
Index : Yes / No
ps

To

1. The Commissioner of Corporation,
Office at Madurai Corporation,
Aringar Anna Maligai,
Tallakulam,
Madurai.

2. The Sanitary Inspector cum Birth and Death Registrar,
Office at Madurai Corporation,
Aringar Anna Maligai,
Tallakulam,
Madurai.



WEB COPY



W.P(MD)No.21011 of 2026

M.DHANDAPANI, J.

ps

W.P(MD)No.21011 of 2026

29.07.2026