

In the High Court of Judicature at Madras

Dated : 17.11.2015

Coram :

The Honourable Mr.Justice M.M.SUNDRESH

Writ Petition No.36114 of 2015

1.Niranjana Tumbavanam
Kameswaran

2.Nagarajan Krishnan

...Petitioners

Vs

1.The Sub-Registrar, Anna Nagar,
Chennai-40.

2.The District Registrar (Administration),
Chennai Central, Chennai-14.

3.The Inspector General of Registration,
Chennai-28.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to rectify the marriage certificate bearing doc.No.476/2006 or issue annexure to the marriage certificate bearing doc.No.476/2006 by expanding the initials of the petitioners as Niranjana Tumbavanam Kameswaran and Nagarajan Krishnan.

For Petitioners : Mr.P.Srinivasan

For Respondents : Mr.P.Karthikeyan, GA

ORDER

As seen from the document bearing No.476/2006, the petitioners marriage has been duly registered. In that document, the first petitioner's name has been shown as T.K.Niranjana. In the passport, the first petitioner's name has been typed as Niranjana Tumbavanam Kameswaran. Thus, the words 'Tumbavanam Kameswaran' come after the word 'Niranjana', in the passport. Therefore, there is a difference in the name as recorded in doc.No. 476/2006 and as shown in the passport. The marriage took place in 1973, though registered in 2006.

2. When the first petitioner sought for a Green Card at United States of America, the application was rejected on the premise that there is an apparent discrepancy with the particulars contained in the document, by which, the marriage was registered and the passport issued. Thereafter, the the first petitioner sought to rectify the marriage certificate bearing doc.No. 476/2006 in consonance with the passport issued. As the said request was not considered, the above writ petition has been filed.

3. The facts, as narrated, are not in dispute. The name of the first petitioner, the factum of marriage and the person, to whom, she got married, are not in dispute. What the first petitioner wants is a rectification of the marriage certificate in consonance with the passport issued. When there is no dispute as such, the difficulty for the first petitioner has arisen in view of an apparent change in the prefix and suffix to her name.

4. While in the marriage certificate, the initials have come first whereas in the passport, her entire name has been shown. In other words, in the marriage certificate, the words 'Tumbavanam Kameswaran' prefixed her name as T.K.Niranjana whereas in the passport, the name of the first petitioner has been shown as Niranjana Tumbavanam Kameswaran.

5. Coming to the second petitioner, who is the husband of the first petitioner, his name has been mentioned in the same marriage certificate as Nagarajan,K. However, in the passport, it has been shown as Nagarajan Krishnan. Even for him, the application seeking Green Card has been rejected in view of the said alleged discrepancy.

6. Therefore, a direction is issued to the first respondent to rectify the marriage certificate of the petitioners by issuing a fresh one indicating the name of the first petitioner as Niranjana Tumbavanam Kameswaran instead of T.K.Niranjana and the name of the second petitioner as Nagarajan Krishnan instead of Nagarajan,K. The first respondent shall carry out the above exercise and issue a fresh marriage certificate to the petitioners with respect to doc.No.476/2006 within a period of four weeks from the date of receipt of a copy of this order.

7. The writ petition is ordered accordingly. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Sub-Registrar, Anna Nagar, Chennai-40.

2.The District Registrar (Administration), Chennai Central,
Chennai-14.

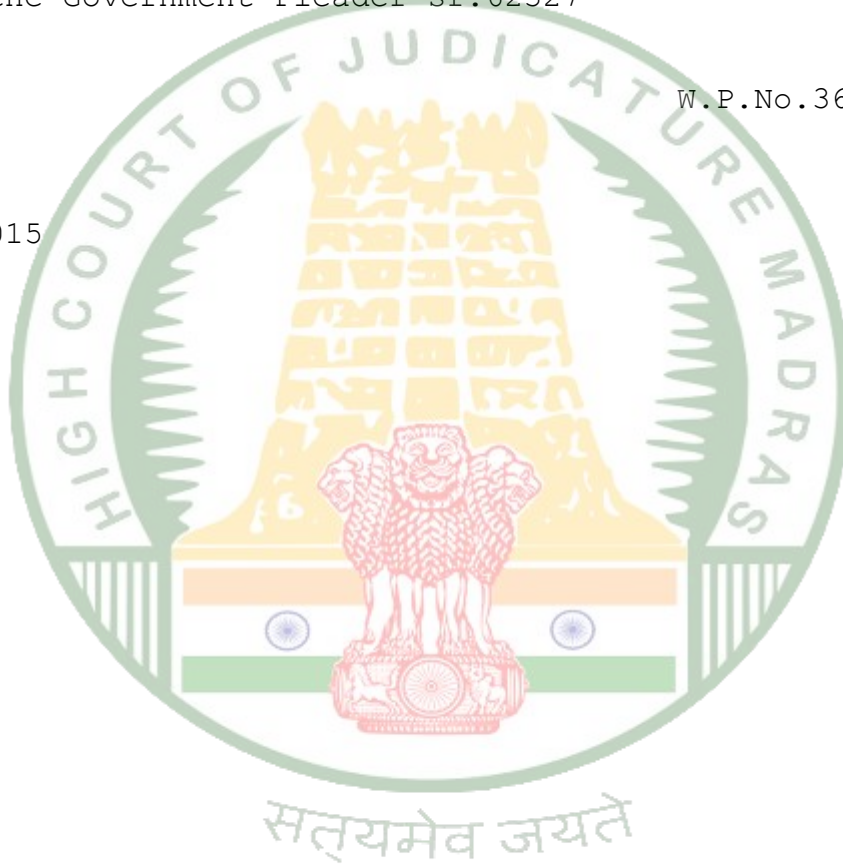
3.The Inspector General of Registration,
Santhome, Chennai-28.

+1 cc to Mr.P.Srinivasan, Advocate sr.61968

+1 cc to the Government Pleader sr.62327

W.P.No.36114 of 2015

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