

**THE HON'BLE SRI JUSTICE P.NAVEEN RAO**

**WRIT PETITION NO.31702 of 2015**

**DATED : 30.09.2015**

Between :

Asma Nousheen D/o.Syed Ajmer,  
Aged about 18 yrs, Occu : Student,  
R/o.H.No.17-1-30/1/1, Ramachander Nagar,  
Edi Bazar, Hyderabad.

.. Petitioner

and

The State of Telangana,  
rep., by its Principal Secretary,  
Revenue Department,  
Telangana Secretariat,  
Secretariat Buildings, Hyderabad & others.

.. Respondents

This court made the following :

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**ORDER :**

Heard learned counsel for petitioner and learned Standing counsel for the Respondent No. 2 and with their consent, the writ petition is taken up for disposal at the admission stage.

2. According to the petitioner she was born on 20.03.1997 to Syed Ajmer and Hameed Fatima in a private hospital. While discharging from hospital the name of the father of the petitioner was mentioned as Syed Ajmer @ Yousuf. Based on the entry in the hospital records, the father's name reflected in the municipal records and birth certificate was issued to the petitioner by the Greater Hyderabad Municipal Corporation (GHMC), showing the name of the father of the petitioner as Syed Ajmer @ Yousuf. Having secured employment in Riyadh, the father of the petitioner is living in Riyadh. The father of the petitioner was issued passport bearing the name as Syed Ajmer. Petitioner intend to join her father in Riyadh. When the petitioner applied for grant of passport, the passport authorities raised objection that since the alias name is mentioned against the entry of father's name along with the name in the birth certificate where as in the passport granted to Syed Ajmer, does not contain the alias name, no passport can be granted.

3. Having realized the mistake, the mother of the petitioner, applied for correction in the Births and Deaths register maintained by the GHMC, before the petitioner attained majority. But the said application was rejected by the respondent-Corporation on the ground that complete name or alias name cannot be corrected under Section 15 of the Births and Deaths Act, 1969 (for short 'the Act'). Aggrieved thereby this writ petition is filed.

4. Learned counsel for the petitioner contends that there is no such prohibition imposed by Section 15 of the Act. Section 15 of the Act enables the competent authority to undertake corrections in the Births and Deaths register, if any entry was improperly made. According to the learned counsel, the entry was improperly made, since the father of the petitioner was called within the family with alias name but the actual name assigned to him is only Syed Ajmer. Since there is an error due to oversight, the mistake could have been corrected by the authorities.

5. On a plain reading of provision under Section 15 of the Act, the objection now raised appears to be not valid. Since the petitioner has now attained the age of majority, liberty is granted to the petitioner to submit a fresh application to the 2<sup>nd</sup> respondent for correction of entry in the Births and Deaths Register maintained by the GHMC. As and when such application is made, the 2<sup>nd</sup> respondent shall consider the same and pass appropriate orders as warranted by law, within a period of two weeks from the date of receipt of application from the petitioner, without reference to the earlier objection made in the order impugned in this writ petition.

6. With the above observations, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

\_\_\_\_\_**P.NAVEEN RAO,J**

30<sup>th</sup> September, 2015.

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