

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :22.11.2018

CORAM

THE HON'BLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.11016 of 2018

S. Rajamani

.. Petitioner

versus

1.The Commissioner,
Kallakurichi Municipality,
Villupuram District,
Tamilnadu - 606 202.

2.The Registrar of Births and Deaths,
O/o. The Kallakurichi Municipality,
Kallakurichi Municipality,
Villupuram District,
Tamilnadu - 606 202.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records of the order passed by the 1st respondent with reference Na.Ka.No.108/2018/A4 dated 20.03.2018 and quash the same and for consequently directing the respondents to correct my son's name as R.Dhanushkumar instead of Ajithkumar in his birth certificate No.042/2003/012501/2003, dated 20.03.2018.

For Petitioner : Mr.S.M.Muralidharan

For Respondents : Mr.K.Bhuvaneswari,
Additional Government Pleader

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O R D E R

The writ petition is filed praying for a writ of certiorarified mandamus to call for the records of the orders passed by the first respondent dated 20.03.2018 and quash the same and consequently direct the respondent to correct the name of the petitioner's son's as R.Danushkumar instead of AjithKumar

in his Birth Certificate No. 042/2003/012501/2003 dated 20.03.2018.

2. According to the petitioner, his son was born on 05.11.2003 at the Government Hospital, Kallakurichi and it was registered with the respondent viz., Registrar of Births and Death, Kallakurichi Special Grade Municipality, Villupuram District on 18.11.2003. The name of the son was by mistake entered as Ajithkumar in the birth certificate, whereas, the petitioner and his wife named their son as Danushkumar and the same is registered in all his official records including his school records. The boy is now said to be studying in 9th standard. When the school authorities informed that there is a difference in the name of the son in the birth certificate, the petitioner had approached the authorities for changing the same and, which was refused by them stating that only once the corrections can be done and in this case since already the names of the parents have been changed, it is not possible to correct the name of their son. It is also further stated that if there is a change of the name, it has to be published in the Government Gazette and then he can get the same corrected in the other records.

3. It appears from the records that the names of the father, mother and son have been wrongly entered even at the first instance. When the corrections were sought for, only the names of the parents have been changed and not the son. It is pointed out by the learned counsel for the petitioner that the change is not with respect to the new name, but it is only with respect to the entry to be made in the Birth Certificate. Admittedly, in the school records and other records, the boy's name is entered as Danushkumar. Hence, there cannot be any impediment for the authorities to change the name of the petitioner's son from Ajithkumar to Danushkumar, as it is only a mistake that has to be corrected.

4. In the light of the above facts, the respondents are directed to carry out the correction of the name of the petitioner's son and issue a fresh Birth Certificate. However, the said exercise should be done within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No Costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

rsi

To

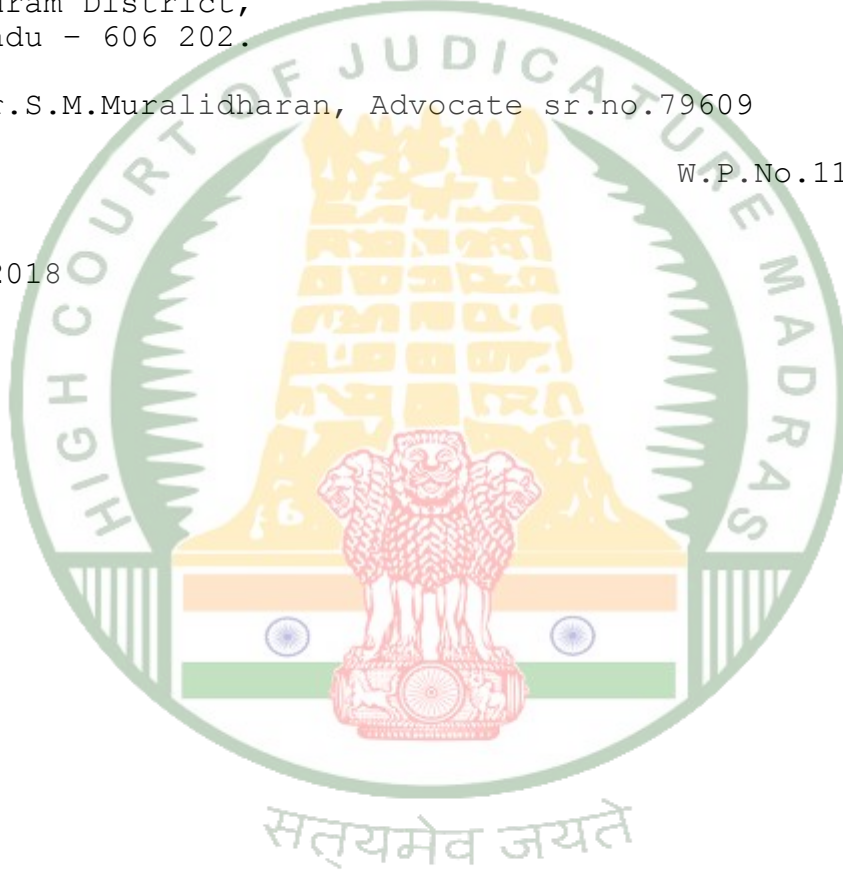
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O/o. The Kallakurichi Municipality,
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+1cc to Mr.S.M.Muralidharan, Advocate sr.no.79609

W.P.No.11016 of 2018

ssi(co)
nr 24/12/2018



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