

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.11.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.32392 of 2019

B.Rajendran

.. Petitioner

/versus/

1.The Registrar,
Registration of Births,
Zonal Officer-Zone X,
64, NSK Salai, Kodambakkam,
Chennai-600 024.

2.The Commissioner,
Greater Corporation of Chennai,
Ripon Building, Raja Muthiah Road,
Periyamet, Chennai-600003.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent herein to consider petitioner's representations dated 24.05.2019 and 09.07.2019 to issue a fresh birth certificate reflecting the name of the petitioner and petitioner's wife as parents and also to reflect proper address in the Birth Certificate.

For petitioner : Mr.K.Kulandaivelu

For Respondents : Mr.Karthika Ashok, St.c
for Chennai Corporation

O R D E R

The petitioner herein has adopted a child on 02.07.2008 and the adoption deed was duly registered. At the time of the adoption, the child name was registered as Dayanithi mentioning his biological parents name. After adoption, the petitioner wants to replace the name of biological parents with the name of the adoptive parents in the birth certificate. His request for change of name and address in the birth certificate of Dayanithi reflecting the adoptive parents name and their address has not yet been considered by the respondent and therefore, the present writ petition is filed.

2. The learned Standing counsel appearing for the respondents would submit that pursuant to the circular issued

by the office of the Registrar General of India, dated 15.05.2015, clarification has been issued to all the Chief Registrars of Birth and Death regarding changing entries in the birth record of children taken on adoption. In the said clarification, it has been decided to incorporate the name of the adoptive parents to avoid difficulties likely to be faced by the adoptive parents as well as the child taken in adoption. This clarification has been issued in consultation with Central Adoption Resource Authority (CARA) and also in consonance with Hindu Adoption and Maintenance Act, 1956 and Juvenile Justice Care and Protection Act.

3. The learned counsel appearing for the respondents would submit that the request of the petitioner will be considered in the light of the circular issued by the Central Government and orders will be passed in accordance with the circular and necessary action will be taken in due course.

4. Recording the same, this writ petition is disposed of with a direction to the respondent to complete the process and pass orders on the petitioner's representation preferably within four weeks from today. No costs.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

rpl

To

1.The Registrar,
Registration of Births,
Zonal Officer-Zone X,
64, NSK Salai, Kodambakkam,
Chennai-600 024.

2.The Commissioner,
Greater Corporation of Chennai,
Ripon Building, Raja Muthiah Road,
Periyamet, Chennai-600003.

+1cc to Mr.K.Kulandaivelu, Advocate SR.No.97934

+1cc to Mr.Karthika Ashok, Advocate SR.No.97528

W.P.No.32392 of 2019

PA(CO)
GMY(07/01/2020)