

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 36938 OF 2018

O R D E R:

The grievance of the petitioner is that the 3rd respondent Assistant Medical Health Officer is not correcting the date of birth of his daughter in the Register of Births and Deaths maintained under the provisions of the Registration of Births and Deaths Act, 1969.

The petitioner submits that he approached the Special Executive Magistrate, Hyderabad District, who *vide* letter dated 29.05.2018 sensitising the 3rd respondent that the Rule governing change of correction to be made is Rule 11 of the Andhra Pradesh Registration of Births and Deaths Rules, 1999, requested the Sub-Registrar to take immediate necessary action. Thereafter, once again, the reminder was sent on 07.07.2018, but however, no action is taken thereon, as yet.

Heard learned counsel for the petitioner as well as learned Standing Counsel for the respondent Corporation.

The 1969 Act mandates a Register to be maintained and the entries in the Register to be recorded on the information to be furnished by the persons notified, particularly in terms of Sections 8 to 10.

So far as the petitioner is concerned, he being the father ought to have known the correct date of birth of his daughter, but however, for some strange reasons, he seeks the date of birth to be corrected. It is also pointed out that based on the date of birth furnished by the petitioner himself, his daughter was issued a passport, as is evident from the material available

on record, and the same date of birth was reflected at all places. Further, if the date of birth is required to be corrected, the individual concerned has to make an Application in the prescribed format, in terms of Section 15 of the Act read with Rule 11 of the Rules. As on date, it is not even the assertion of the petitioner that either himself or his daughter has made any Application to the Registrar.

In those circumstances, the Writ Petition is closed leaving liberty to the petitioner-father or the incumbent to make an Application to the competent Authority in the prescribed format, duly paying the requisite fee, if any, which shall be considered strictly in terms of the provisions of the Act and the Rules. No costs.

Consequently, the Miscellaneous Applications, if any shall stand closed.

CHALLA KODANDA RAM, J

21st February 2019

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