



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 28.07.2021**

**CORAM :**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**W.P. (MD) .No.12743 of 2021**

R.Elahi Batcha

...Petitioner

Vs.

1.The Assistant Commissioner,  
Ponmalai Kottam,  
Tiruchirappalli City Corporation Office,  
Trichy-600 001.

2.The Registrar of Births and Deaths (Headquarters),  
Tiruchirappalli City Corporation,  
Trichy-600 001.

... Respondents

**Prayer:** This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned order passed by the second respondent herein in his proceedings in No.Ka.Aa.(B.E). GOC/134/2021, dated 30.04.2021 and quash the same as illegal, consequently direct the second respondent to issue Birth Certificate to the petitioner's son by mentioning correct Father's name i.e., the petitioner's name namely Mr.R.Elahi Batcha as his father's name.

For Petitioner : M/S.R.Sridevi

For Respondents : Mr.R.Baskaran

**ORDER**

This Writ Petition has been filed challenging the proceedings of the second respondent, dated 30.04.2021 and for a consequential direction to the second respondent to issue the Birth Certificate to the son of the petitioner by mentioning the correct name of the father.

2.The case of the petitioner is that he made an application before the first respondent, on 08.03.2021, along with all relevant documents to issue a Date of Birth Certificate to his son named Raja Mohamed. The application was forwarded to the second respondent and the second respondent through proceedings, dated 03.04.2021, rejected the application for the reason that the father's name was wrongly mentioned. Aggrieved by the same, the present writ petition



has been filed before this Court, seeking for appropriate directions.

3. Heard Ms.R.Sridevi, learned counsel for the petitioner and Mr.R.Basakaran, learned counsel for the respondents.

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4. It is seen from the records that have been filed before this Court that the father's name of Raja Mohamed is R.Elahi Batcha, the petitioner herein. However, the second respondent has rejected the application mainly on the ground that the Certificate issued by the Hospital had spelt the name of the father as Ilahi Basha.

5. There is always a confusion when any Transliteration is done in English from any other language. There is no dispute with regard to the fact that the name of the father of Raja Mohamed is R.Elahi Batcha. While this name was recorded in the hospital, it is possible that the spelling may have been recorded differently. Even in the passport, the name of the petitioner has been entered as Elahi Batcha. Therefore, these are cases where the authorities should not be wasting time in unwanted technicalities, when there is no confusion with regard to the identity of the person.

6. In view of the above discussion, the impugned proceedings of the second respondent, dated 30.04.2021, is hereby quashed. There shall be a direction to the second respondent to entertain the application and issue Birth Certificate by mentioning the father's name in the Birth Certificate of Raja Mohamed as R.Elahi Batcha. This process shall be completed by the second respondent, within a period of four weeks from the date of receipt of a copy of this order.

7. In the result, this writ petition is allowed with the above directions. No costs.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM



NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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+1 CC to M/s.R.BASKARAN, Advocate ( SR-24230[F] dated 28/07/2021 )

+1 CC to M/s.R.SRIDEVI, Advocate ( SR-24496[F] dated 29/07/2021 )

+1 CC to M/s.SPL GP ( SR-24216[F] dated 28/07/2021 )

**W.P. (MD) .No.12743 of 2021**

**Dated:  
28.07.2021**

MGJ(06.08.2021) 3P 4C