



WEB COPY



W.P.No.20023 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.20023 of 2023

S.Vasudevan

...Petitioner

Vs.

1.Director/Chief Registrar of Births and Deaths,
Chennai,Tamil Nadu.

2.The Commissioner,
Greater Chennai Corporation,
Ripon Building, EVR Salai,
Chennai-600 003.

3.City Health Officer,
Greater Chennai Corporation,
Ripon Building, EVR Salai,
Chennai-600 003.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents to remove the birth certificate issued on 03.03.2007 vide Registration No.73/2007/01 bearing the name V.Karthik Raman and upload the birth certificate issued on 05.03.2007 vide Registration No.73/2007/01 bearing the name V.Venu Vikaas in the online records of the 2nd and 3rd respondent.



WEB COPY



W.P.No.20023 of 2023

For Petitioner : Mr.K.Venkatasubban
for Sarvabhauman Associates

For Respondents : Mr.P.Ananda Kumar for R1
Government Advocate
Mrs.P.T.Ramadevi for R2 and R3
Standing Counsel(GCC)

ORDER

The petitioner herein seeks a direction to the respondents to remove the birth certificate issued to his son namely V.Venu Vikaas dated 03.03.2007 and upload the correct birth certificate issued on 05.03.2007 in the online portal of the 2nd respondent.

2. According to the petitioner, a son was born to him on 25.02.2007 at Rakshith Hospital, Virugambakkam, Chennai. The birth of his son was registered with Virugambakkam Municipality on 03.03.2007 under the Births and Deaths Act, 1969 vide registration No.73/2007/01. In the registration certificate dated 03.03.2007, the name of the petitioner's son was mentioned as V.Karthik Raman. However, at the request of the petitioner, the name of his son was changed into V.Venu Vikaas in the register of Births and Deaths and a fresh certificate was issued bearing new name V.Venu Vikaas on 05.03.2007 under the same registration No.73/2007/01.



WEB COPY

W.P.No.20023 of 2023



3. The petitioner's son is studying in 11th std and his name is recorded as V.Venu Vikaas in the school records, as per the Birth Certificate issued to the petitioner's son on 05.03.2007. When the school authorities verified the official online portal of the 2nd respondent, they found that a wrong Birth Certificate was uploaded in respect of petitioner's son bearing V.Karthik Raman. The petitioner relying on the certificate issued to him on 05.03.2007 bearing the name of V.Venu Vikaas seeks a direction to the 2nd respondent Corporation to upload the correct birth certificate of the petitioner in the online portal. The wife of the petitioner also filed a supportive affidavit dated 10.07.2023 stating that she has no objection for uploading birth certificate issued to the petitioner's son on 05.03.2007 bearing the name V.Venu Vikaas.

4. Mr.P.Ananda Kumar, learned Government Advocate takes notice for the 1st respondent and Mrs.P.T.Ramadevi, learned Standing Counsel(GCC) takes notice for the 2nd and 3rd respondents. The learned counsel for the respondent Corporation submits that in this regard, a clarification has been sought for from the 1st respondent. Mr.P.Ananda Kumar, learned Government Advocate for the 1st respondent, on instructions, submits that if any fresh



representation is submitted by the petitioner seeking uploading of correct Birth Certificate based on birth certificate dated 05.03.2007 issued with a name V.Venu Vikaas, the same will be considered.

5. Originally, the birth of petitioner's son was registered on 03.03.2007 with a child name as V.Karthik Raman. When the petitioner sought for correction in the register of births by inclusion of a new name V.Venu Vikaas, the same was acceded to by the 2nd respondent and a new birth certificate was also issued in the name V.Venu Vikaas. Acting on that, the petitioner entered his son's name as V.Venu Vikaas in the school records. Now, the petitioner's son is studying 11th standard. In these circumstances, if any representation is made by the petitioner seeking confirmation of the certificate issued to the petitioner on 05.03.2007, the same shall be considered by the 1st respondent.

6. Therefore, this Court is inclined to issue a direction to the petitioner to submit a representation to the 1st respondent within a period of two weeks from the date of receipt of a copy of this order. If any such representation submitted by the petitioner, the 1st respondent shall consider the same and pass necessary orders in accordance with law within a period of four weeks



W.P.No.20023 of 2023

thereafter. On receipt of the final orders by the 1st respondent, the 2nd respondent is expected to upload the correct birth certificate of the petitioner's son.

7. With the above directions, this writ petition stands disposed of. No costs.

12.07.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
nr

To

1. Director/Chief Registrar of Births and Deaths,
Chennai, Tamil Nadu.
2. The Commissioner,
Greater Chennai Corporation,
Ripon Building, EVR Salai,
Chennai-600 003.
3. City Health Officer,
Greater Chennai Corporation,
Ripon Building, EVR Salai,
Chennai-600 003.



WEB COPY



W.P.No.20023 of 2023

S.SOUNTHAR, J.
nr

W.P No.20023 of 2023

12.07.2023