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W.P.No.6000 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2024

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.6000 of 2024

Jai Ganesh

... Petitioner

Vs.

1.The Commissioner,
Corporation of Chennai,
Chennai – 600 003.

2.The Registrar of Births and Deaths,
Corporation of Chennai,
Ripon Building,
Chennai – 600 023.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to correct the entries in the petitioner's birth certificate with regards to the petitioner's Mother's name which is mentioned as Eswari instead of 'Sivaneswari' by considering the petitioner's representation dated 22.01.2024.

For Petitioner : Mr.S.R.Varun Karthik
For Respondents : Ms.S.Vanitha Joice Rani
Standing Counsel



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ORDER

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The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to correct the entries in the petitioner's birth certificate with regards to the petitioner's Mother's name which is mentioned as Eswari instead of 'Sivaneswari' by considering the petitioner's representation dated 22.01.2024.

2.The case of the petitioner is that the petitioner is an MBA Graduate and is employed at USA. When the petitioner and his Mother intended to travel abroad, the petitioner was informed to submit digital copy of his birth certificate and when he downloaded his birth certificate from the website of Greater Chennai Corporation, he found that his Mother's name has been mentioned as Eswari instead of 'Sivaneswari' and hence he made representation to the respondents seeking to make necessary correction and since there was no response has filed this writ petition.

3.The learned counsel appearing for the petitioner submitted that the petitioner produced all supporting documents including the ration card which contain the correct name of the petitioner's Mother, however, the respondents have not yet issued the Birth Certificate of



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the petitioner containing her Mother's correct name. The learned counsel further submitted that if any late fees is required, the petitioner is ready to pay the late fees in terms of the Registration of Births and Deaths Act, 1969.

4.The learned Standing Counsel appearing for the respondents submitted that this Court may direct the petitioner to produce the following documents namely, Certificate from the Revenue Authorities stating that the petitioner's Mother have two names 'Eswari' and 'Sivaneswari' or that 'Eswari' and 'Sivaneswari' are same person, death certificate of the petitioner's Father if the petitioner's Father is not alive, legal heir certificate, birth certificate of other legal heirs of the petitioner's Father and no objection certificate from 'Eswari' alias 'Sivaneswari'.

5.The grievance of the petitioner is that in his birth certificate, his Mother's name has been mentioned as Eswari instead of 'Sivaneswari' and hence he made representation to the respondents seeking to make necessary correction, however, there is no response. The petitioner's Mother name has been wrongly entered in his birth certificate, for which in the absence of any rival claim the respondent



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Corporation can obtain no objection certificate from the petitioner's Mother stating that her name is 'Sivaneswari' and that certificate is enough for altering the petitioner's Mother's name in his birth certificate.

6.In view of the above, there shall be a direction to the respondents to issue birth certificate of the petitioner by mentioning the petitioner's Mother's name as 'Sivaneswari', within a period of two weeks from the date of receipt of a copy of this order.

7.This writ petition is accordingly disposed of. No costs.

22.10.2024

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

To

- 1.The Commissioner,
Corporation of Chennai,
Chennai – 600 003.
- 2.The Registrar of Births and Deaths,
Corporation of Chennai,
Ripon Building,
Chennai – 600 023.

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M.DHANDAPANI,J.
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