



W.P.No.13669 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.05.2024

CORAM:

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

W.P.No.13669 of 2024

R.Sivaranjani
W/o.Anantha Krishnan

...Petitioner

* Name of the petitioner is amended
vide order dated 30.05.2024 in
W.M.P.No.15681 of 2024 in W.P.No.13669 of 2024

Vs

1. The Tahsildar,
Thasildar Office,
Madhuranthakam Taluk,
Chengalpattu District.
2. The Registrar of Birth and Death,
Vaiyur Village Panchayat, Maduranthagam Taluk.
Chengalpattu District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to take the action towards the representation made on 02.05.2024 by the petitioner and issue the new Birth Certificate of the Shakshi by changing her father's name C.P.Karthick Chandran to G.V.Anantha Krishnan.



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For Petitioner : Mr.G.Srinivasan

For Respondents : Mr.G.Krishna Raja,
Additional Government Pleader

ORDER

The writ petitioner seeks for a mandamus to direct the respondents to issue the Birth Certificate of her child viz., Shakshi by changing the name of her father from C.P.Karthick Chandran to G.V.Anantha Krishnan.

2. The case of the petitioner is that she had married to one C.P.Karthick Chandran on 01.12.2017 and from the wedlock, a child was born by the name Shakshi on 11.09.2018. Since the petitioner and C.P.Karthick Chandran developed matrimonial differences, a divorce petition was filed in F.C.O.P.No.250 of 2023 on the file of the learned Family Court, Chengalpattu and that ended in divorce by mutual consent on 11.08.2023. By virtue of the said decree, the husband has given up his claim with respect to the child and has not sought for custodial rights.



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3. Subsequently, the petitioner married one G.V.Anantha Krishnan on 27.10.2023. The said G.V.Anantha Krishnan is taking care of the child. Since the Birth Certificate of the child Shakshi reflects the name of C.P.Karthick Chandran, the petitioner has filed an application seeking for correction of the name of the father from C.P.Karthick Chandran to G.V.Anantha Krishnan. Since it was not considered, the present writ petition has come to be filed.

4. The petitioner has given a representation on 02.05.2024 to the first respondent seeking for alteration in the Birth Certificate to incorporate the name of the father as G.V.Anantha Krishnan. A view has been taken by this Court in W.P.(MD)No.30055 of 2023 that such a correction is permissible.

5. In the light of the position of law laid down by this Court, the respondents are directed to consider the representation of the petitioner dated 02.05.2024 and pass orders by taking into consideration the judgment of this Court dated 27.02.2024 in W.P.(MD)No.30055 of 2023, within a period of eight weeks from the date of receipt of a copy of this order.



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With the above directions, the Writ Petition is disposed of. No costs.

30.05.2024

Index: Yes
Non-speaking order
Neutral Citation : No

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To

1. The Tahsildar,
Thasildar Office,
Madhuranthakam Taluk,
Chengalpattu District.
2. The Registrar of Birth and Death,
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V.LAKSHMINARAYANAN.J.,

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