



W.P.No.18588 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2024

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

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B.Ramkumar Adityan

.. Petitioner

Vs

- 1.The Secretary,
Ministry of Home Affairs,
Government of India,
4th Floor, A Wing, Shastri Bhawan,
New Delhi-110 001.
- 2.The Secretary,
Department of Legal Affairs,
Ministry of Law and Justice,
Government of India,
4th Floor, A Wing, Shastri Bhawan,
New Delhi-110 001.
- 3.The Secretary,
Ministry of Women and Child Development,
Government of India,
Shastri Bhawan,
New Delhi-110 001.
- 4.The Chief Secretary,
Government of Tamil Nadu,
St. George Fort, Chennai-600 009.



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5.The Principal Secretary,
Social Welfare and Women Empowerment Department,
Government of Tamil Nadu,
St. George Fort, Chennai-600 009.

6.The Secretary,
Law Department,
Government of Tamil Nadu,
St. George Fort, Chennai-600 009.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents 1 to 4 to direct all the Ministries/Departments/Offices to create a column to write Mother Name in addition to Father Name wherever using father name along in all Forms, Certificates, Applications and Licenses, to make it mandatory to furnish Mother Name in addition to Father Name in all Deeds, Affidavits, Government Documents, Public Documents, Applications, Certificates and Licenses and consequently direct the respondents 1 to 4 to permit to furnish either Parents in case of Single Parent or Unwed mother by obtaining an affidavit in order to ensure meaningful implementation of provisions related to adoption of the Hindu Adoptions and Maintenance Act, 1956, the Guardians and Wards Act, 1890, the Juvenile Justice (Care and Protection of Children) Act, 2015, the Adoption Regulations, 2017 and the authorities of the Apex Court and High Courts.

For the Petitioner : Mr.J.Antony Jesus



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For the Respondents : Mr.AR.L.Sundaresan
Additional Solicitor-General
assisted by
Mr.R.Rajesh Vivekananthan
Dy. Solicitor-General
for respondents 1 to 3

: Mr.A.Edwin Prabakar
State Government Pleader
assisted by
Mr.P.Harish
Government Advocate
for respondents 4 to 6

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

Heard Mr.J.Antony Jesus, learned counsel for the petitioner;
Mr.AR.L.Sundaresan, learned Additional Solicitor-General of India,
assisted by Mr.R.Rajesh Vivekananthan, learned Deputy Solicitor-
General of India for respondents 1 to 3; and, Mr.A.Edwin Prabakar,
learned State Government Pleader, assisted by Mr.P.Harish, learned
Government Advocate for respondents 4 to 6.

2. On a perusal of the counter affidavit filed by the fifth
respondent, it appears that the purpose of the writ petition does not



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survive.
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3. Learned Additional Solicitor General appearing on behalf of respondents 1 to 3 submits that in all the official documents like PAN Card, Passport, etc., the name of the mother and father are recorded and where there is a single mother, the name of the father is not insisted upon.

4. Learned State Government Pleader submits that the State Government has also issued a government order on 23.3.1994 in the same lines. The School Education Department has also issued a government order on 28.4.2003 to use the mother's name as initial of the child.

5. In the light of the above, in our opinion, the prayer made by the petition stands sub-served. In case the petitioner can lay his hands on any official document, where the name of the mother is not mandated to be recorded, then the petitioner may agitate afresh.



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The writ petition is disposed of accordingly. There shall be no order as to costs.

(S.V.G., CJ.)

(J.S.N.P., J.)

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Index : Yes/No
Neutral Citation : Yes/No
sasi

To:

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- 5.The Principal Secretary,
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THE HON'BLE CHIEF JUSTICE
AND
J.SATHYA NARAYANA PRASAD,J.

(sasi)

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