



W.P. No. 135 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2024

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 135 of 2024

Nalini

... Petitioner

-VS-

1. The Tahsildar,
Office of the Tahsildar Office,
Tindivanam,
Villupuram District.
 2. The Commissioner of Municipality,
Tindivanam Municipality,
Tindivanam,
Villupuram District.
- Respondents

...

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Second Respondent to issue new birth certificate to rectify the mistake of the Petitioner's name wrongly mentioned as Malli instead of Nalini.

For Petitioner : Mr. S.Seenuvasan

For Respondents : Mr. B.Vijay
Additional Government Pleader
(for R1 & R2)



W.P. No. 135 of 2024

ORDER

WEB COPY

Heard Mr. S.Seenuvasan, Learned Counsel for the Petitioner and Mr. B.Vijay, Learned Additional Government Pleader appearing for the First and Second Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that her name has been mistakenly entered as 'Malli' instead of 'Nalini' in the birth certificate of her female child born on 16.03.2012 in the Government Hospital at Tindivanam and that she had made a representation dated 26.07.2023 to the Second Respondent to correct it, but as it did not evoke any response, it has necessitated the filing of the Writ Petition.

3. Learned Counsel appearing for the Second Respondent has brought to notice that even before the filing of the Writ Petition on 10.11.2023, the Second Respondent by letter in Na. Ka. No. 2839/2023/H1 dated 13.10.2023 has informed the Petitioner that the entry of her name in the relevant record maintained in the office of the Second Respondent under the Registration of Births and Deaths Act, 1969, (hereinafter referred to as 'the RBD Act' for short)



W.P. No. 135 of 2024

has been made in accordance with the information furnished by the hospital where her child was born as per Section 8(1)(b) of the RBD Act and the corrections of the said entry could be made under Section 15 of the RBD Act, only if necessary rectification measures are taken through that hospital and informed to the Second Respondent in that regard. In such circumstances, nothing remains for further consideration in the Writ Petition, but it would not preclude the Petitioner from working out his remedies before the proper forum in the manner recognized by law.

In the result, the Writ Petition is disposed with the aforesaid observations.

No costs.

19.01.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 22.03.2024.

pal/Gsa



WEB COPY



W.P. No. 135 of 2024

P.D. AUDIKESAVALU, J.

pal/Gsa

To

1. The Tahsildar,
Office of the Tahsildar Office,
Tindivanam,
Villupuram District.
2. The Commissioner of Municipality,
Tindivanam Municipality,
Tindivanam,
Villupuram District.

W.P. No. 135 of 2024

19.01.2024