



W.P.No.11935 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 03.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.11935 of 2025

Sakkarapani

... Petitioner

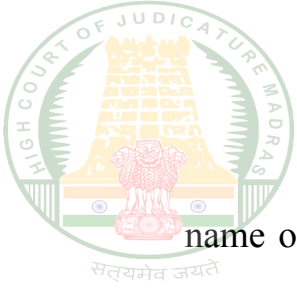
Vs.

1.The Commissioner
Salem Corporation Office
Salem District.

2.Saravanan

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to remove the name of the natural father and mother namely Saravanan and Kasthuri in birth certificate of Dhanusri issued by the respondent Salem Corporation registration No.B-2023;33-19806-000067 dated 27.01.2023 and include the



W.P.No.11935 of 2025

WEB COPY

name of adoption father and mother namely Sakkarapani and Sunitha based on the adoption deed registered before the Sub-Registrar office at Bhuvanagiri as document R/Bhuvanagiri/Book No.4/2/2023 dated 17.03.2023 based on the petitioner's representation dated 11.03.2025 and pass appropriate order within the time frame manner fixed by this Court.

For Petitioner : Mr.T.Meganathan

ORDER

The prayer in the present Writ Petition is to remove the name of the natural father and mother namely Saravanan and Kasthuri in the birth certificate of Dhanusri issued by the respondent Salem Corporation registration No.B-2023 33-19806 – 000067 dated 27.01.2023 and include the name of the adoptive father and mother namely Sakkarapani and Sunitha based on the adoption deed registered before the office of the Sub Registrar Bhuvanagiri, in Doc.No.4/2/2023 dated 17.03.2023.

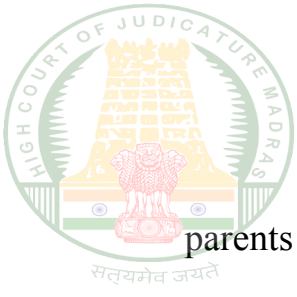


W.P.No.11935 of 2025

2. Upon hearing the learned counsel for the petitioner and

perusing the affidavit filed in support of the writ petition, it can be seen that the grievance of the petitioner is that the birth certificate is correctly issued as per the original birth. However subsequently the petitioner was given in adoption by way of a deed of adoption dated 17.03.2023 and by virtue of the adoption now Sakkarapani and Sunitha are the adopted parents of the petitioner and therefore, the petitioner seeks correction of the birth certificate. There is no dispute with reference to the adoption of the petitioner. The said Sakkarapani and Sunitha are only the parents having adopted the petitioner. But, the original birth certificate that is granted actually records the truth/fact that the petitioner was born on 27.01.2023 to Saravanan and Kasthuri. That cannot be changed.

3. The learned counsel relied upon the judgement of the Madurai Bench of this Court in ***WP.(MD).No.19930 of 2023 in Vijayakumar and another Vs. The Commissioner Madurai Corporation, Madurai -2.*** That judgment is issued by considering Regulation 40 of the Adoption Regulations 2022, whereunder the Registrar can also incorporate the adoptive



W.P.No.11935 of 2025

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parents name provided an order is issued by the District Magistrate in accordance with the circular issued from time to time by the Registrar General of India. Therefore, if under the said provision if the adoptive parents want their name should also be included they can also approach the District Magistrate as per the said Regulation.

4. With the said liberty kept open, this Writ Petition stands disposed of. No costs.

03.04.2025

Neutral Citation : No
dna

To

The Commissioner
Salem Corporation Office
Salem District.



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W.P.No.11935 of 2025

D.BHARATHA CHAKRAVARTHY, J.

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W.P.No.11935 of 2025

03.04.2025