



W.P.(MD)No.2311 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.01.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.2311 of 2025

Balamurali. P.S.

... Petitioner

/Vs./

Madurai City Municipal Corporation,
Through its Commissioner (ACHO),
Aringar Anna Malligai,
Tallakulam,
Madurai-625 002.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned order in Reference No.O.MU(H5)/014640/2024 dated 17.12.2024 and quash the same and consequently directing the respondent to correct the petitioner son's name in the birth certificate from Akshey Manikandan as Akshey Pala Balamurali being the expansion for his Initial P.B as mentioned in his school records, Aadhaar and Passport.

For Petitioner : Mr.K.Muraleedharan
For Respondent : Mr.K.Sivabalan
Standing Counsel



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ORDER

This writ petition has been filed challenging the order passed by the respondent dated 17.12.2024 thereby rejected the request made by the petitioner for correction of his name in the birth certificate.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself. Heard the learned counsel on either side and perused the materials placed before this Court.

3. The petitioner was born on 27.05.2000 and his birth was entered into birth registry and he was named as Akshey P.B and after 24 years, the petitioner changed his name as Akshey Manikandan. Accordingly, the request made by the petitioner was considered by the respondent and correct his name. Now, he wants to change the name as Akshey Pala Balamurali. Admittedly, the name of the petitioner was given as Akshey P.B at the time of birth and it was rightly registered by the registering authority. If the petitioner wants to change his name, he has to approach the concerned Committee to change his name and it



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should be published in the Gazette and thereafter, he has to change his name as per the Gazette. Therefore, the registering authority cannot make any corrections as per the request made by the petitioner.

4. The learned counsel for the petitioner relied upon the Section 15 of the Registration of Births and Deaths Act, 1969. It is relevant to extract the Section 15 of the Registration of Births and Deaths Act, 1969 hereunder:-

"15. Correction or cancellation of entry in the register of births and deaths.—If it is proved to the satisfaction of the Registrar that any entry of a birth or death in any register kept by him under this Act is erroneous in form or substance, or has been fraudulently or improperly made, he may, subject to such rules as may be made by the State Government with respect to the conditions on which and the circumstances in which such entries may be corrected or cancelled, correct the error or cancel the entry by suitable entry in the margin, without any alteration of the original entry, and shall sign the marginal entry and add thereto the date of the correction or cancellation."



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5. The provision is very clear that, if it is proved that entry of a birth or death in any register kept by him under this Act is erroneous in form or substance, or has been fraudulently or improperly made, he may, subject to such rules as may be made by the State Government with respect to the conditions on which and the circumstances in which such entries may be corrected or cancelled, correct the error or cancel the entry by suitable entry in the margin, without any alteration of the original entry, and shall sign the marginal entry and add thereto the date of the correction or cancellation.

6. In the case on hand, admittedly, there was no fraud or any circumstances warrants the respondent to correct the name. Therefore, the above provision is not applicable in the case on hand and the request made by the petitioner was rightly rejected by the respondent and hence, the writ petition is devoid of merits and it is liable to be dismissed.



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7. Accordingly, the writ petition is dismissed. No costs.

28.01.2025

Index : Yes / No

NCC : Yes / No

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G.K.ILANTHIRAIYAN, J.

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