



W.P.(MD).No.12058 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2025

CORAM

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD).No.12058 of 2025

Edwin

.. Petitioner

Vs.

The Commissioner,
Kulithurai Corporation,
Kulithurai,
Kanyakumari District.

.. Respondent

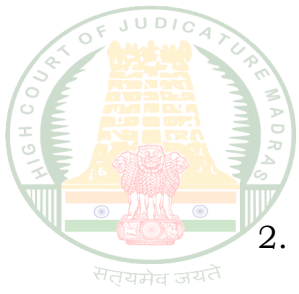
PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondent to re-issue the birth certificate of the petitioner's child namely E.IVANIKA by rectifying the father's name as 'EDWIN' instead of 'SURESH KUMAR' on the strength of the petitioner's representation dated 05.04.2025 as expeditiously as possible within the time stipulation as prescribed by this Court.

For Petitioner : Mr.S.Ashok

For Respondent : Mr.P.Athimoolapandian

ORDER

The petitioner seeks for issuance of Mandamus to direct the respondent to re-issue the birth certificate of the petitioner's child, namely, E.IVANIKA by rectifying the father's name as 'EDWIN' instead of 'SURESH KUMAR' on the strength of the petitioner's representation dated 05.04.2025 as expeditiously as possible within the time prescribed by this Court.

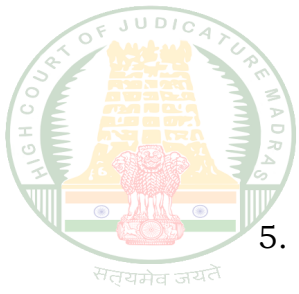


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2. The case of the petitioner is that he married one D.Meeka on 30.06.2019 at the IPC Church, Ponmanai. The couple set up their matrimonial home on 20/95/2, Kalkulam, Manalivilai, Kulasekaram Taluk, Kanyakumari District. The wedlock produced a female child, named, Ivanika. The child was born on 16.10.2020 on Vinod Hospital, Railway Station Road, Near New Bus Stand, Marthandam - 629 165.

3. The petitioner states that intimation of birth was given by the hospital to the Kulithurai Corporation on 22.10.2020. At the time of registration of birth, instead of mentioning the name of the father as 'S.Edwin', it had been wrongly mentioned as 'C.Suresh Kumar'. However, the initial of the child was correctly given as "E". The petitioner noticed the mistake when he obtained the birth certificate for the purpose of admitting the child in a School. Hence, he approached the respondent by way of a representation on 05.04.2025. As the child has to be admitted in June of this year, he has come forward with the present Writ Petition for the aforesaid relief.

4. Noticing the narrow compass involved in the case, I called upon the learned counsel for the petitioner to serve the papers on Mr.P.Athimoolapandian, learned Standing Counsel for the respondent. The Standing Counsel received the papers and has also obtained instructions from the respondent.



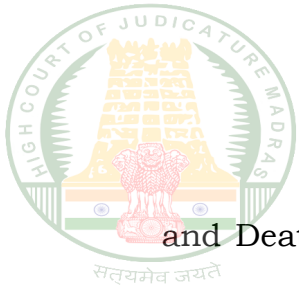
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5. Mr.Athimoolapandian has produced the application forwarded to the Municipality by Vinod Hospital on 22.10.2020. In the said application, the name of the child is shown as 'Evanika.E', but the father's name is shown as 'Suresh Kumar.C' in English and Tamil. He urges that all that the Municipality has done is entering the data that had been supplied to them by the Hospital and no mistake had been committed by the respondent.

6. I have carefully considered the submissions of both sides. I have gone through the records.

7. A perusal of the application produced by the learned Standing Counsel for the respondent shows while filling the application, an error has obviously been occurred. The practice in this country is to take the name of the father as the initials. In this case, the initial has rightly been given as "E", but the name has been entered as 'Suresh Kumar'. This seems to be an obvious error. A person whose father's name is Suresh Kumar will obviously have an initial as 'S' and not 'E'. Therefore, some error has been crept in while forwarding the data for entry by the Municipality.

8. I have to agree with Mr.Athimoolapandian that the raw data supplied to the Municipality has been converted into a birth certificate. However, it is not as if the respondent is powerless, when the error is brought to their notice. In terms of Section 15 of the Registration of Births



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and Deaths Act read with Rule 11 of the Tamil Nadu Registration of Births and Deaths Rules of 2000, the respondent has the power to correct the error when it is shown to him that the entry is erroneous in form or in substance.

9. Accordingly, there shall be a direction to the respondent to consider the petitioner's representation dated 05.04.2025, as an application under Section 15 of the said Act read with Rule 11 of the aforesaid Rules. He shall pass appropriate orders on the same within a period of four (4) weeks from the date of uploading of this order. The time limit is fixed as four weeks, since the academic year would begin with the 1st of June. The respondent shall act on a web copy of this order and need not wait for a certified copy of the same.

10. The Writ Petition is ordered in the above terms. There shall be no order as to costs.

25.04.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm

To



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The Commissioner,
Kulithurai Corporation,
Kulithurai,
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V.LAKSHMINARAYANAN,J.

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