



W.P(MD)No.12268 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2025

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THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Writ Petition(MD)No.12268 of 2025

Prabin Joel

..Petitioner

Vs

1.The Registrar of Births and Deaths,
Kuzhithurai Municipality,
Vilavancode Taluk,
Kanyakumari District.

2.The Director/Chief Registrar of Births and Deaths,
Chennai, Tamil Nadu.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents to rectify the date of birth in the degitized birth certificate as in the original handwritten birth certificate by considering the petitioner's representation dated 13.11.2024.

For Petitioner : Mr.G.Anto Prince

For Respondents : Mr.P.Athimoola Pandian



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ORDER

The petitioner seeks issuance of a Writ of Mandamus to direct the respondents to rectify the date of birth in the digitized birth certificate as in the original handwritten birth certificate by considering his representation dated 13.11.2024.

2. It is the case of the petitioner that his original birth certificate, which was registered on 28.07.1987, recorded his date of birth as 15.07.1987. However, the digitized version of the birth certificate uploaded by the first respondent shows that his date of birth is 26.08.1986.

3. The petitioner pleads that on the basis of the certificate issued on 28.07.1987, he had obtained all his records, including his passport. On account of the alleged erroneous digitized version, he pleaded that his residency and employment in Belgium is affected. Hence, he gave a representation on 13.11.2024 to correct the digitized version, followed by a reminder on 16.04.2025. Since no action was taken, the present writ petition is filed.



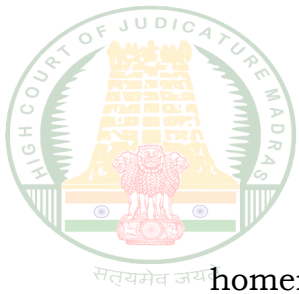
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4. Considering the limited scope of the relief sought for in this writ petition, I asked Mr.G.Anto Prince to serve the papers on Mr.P.Athimoola Pandian, standing counsel for the Registrar of Births and Deaths, Kuzhithurai Municipality. Papers were served on Mr.P.Athimoola Pandian. He sought time to get instructions. Hence, the matter was adjourned today.

5. When the matter was taken up for hearing today, Mr.P.Athimoola Pandian stated that the handwritten certificate that was relied upon by the petitioner had not been issued by the Registrar of Births and Deaths, Kuzhithurai Municipality. He pointed out that in that certificate, the registration of birth is shown as 1250, which corresponds to a child born to one Bagavathiappan and Kamalam at C.S.I. Hospital, Marthandam. Insofar as the petitioner is concerned, he was born in the very same hospital on 26.08.1986, and it was registered on 02.09.1986. The registration number is 1515.

6. Mr.P.Athimoola Pandian invites the attention of this court to the birth register to point out to the names of the father and mother of the petitioner have been correctly entered and shown as Jones and Lilly Bai. He further states that the petitioner's father is a graduate working as an Inspector and the mother is also a graduate, who was a



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homemaker. He also points out that, from the records that the person who had maintained the records was one Christhudoss and there was no person by name of Balachandran in the employ of the respondent during the relevant time. He has produced instructions from the Commissioner of Kuzhithurai Municipality to the effect that they have never issued a handwritten certificate on the basis of which the petitioner claims that he was born on 15.07.1987.

7. I have carefully gone through the submissions of both sides.

8. I can give a direction to the first respondent Municipality, in case, a certificate has been erroneously issued by the first respondent. It is the specific case of the first respondent that they had not issued a certificate on 21.06.1987. As rightly pointed out by Mr.P.Athimoola Pandian, it is impossible for a certificate to have been issued on 21.06.1987, when the birth of the petitioner as recorded in the handwritten certificate, had taken place nearly one month thereafter, i.e., on 15.07.1987. Therefore, the plea of the petitioner that the electronic record must be brought in accordance with the handwritten record is untenable and hence, rejected.



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9. In the light of the above discussion, I passed the following orders:

- (i) This writ petition is dismissed.
- (ii) The certificate issued by the first respondent on 27.03.2023 is declared to be correct.
- (iii) It is open to the petitioner to correct his records, including his Transfer Certificate, School Leaving Certificate, Passport, etc., to the effect that he was born on 26.08.1986.

No costs.

29.04.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn

- 1.The Registrar of Births and Deaths,
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Kanyakumari District.
- 2.The Director/Chief Registrar of Births and Deaths,
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V.LAKSHMINARAYANAN, J.

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