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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :13.06.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.16079 of 2025

Rubitha

... Petitioner

VS.

1. The Dean,
Tirunelveli Medical College Hospital,
High Ground, Palayamkottai,
Tirunelveli.

2. The Birth and Death Registrar,
Tirunelveli Medical College Hospital,
High Ground,
Palayamkottai,
Tirunelveli.

3. The Commissioner,
Tirunelveli Municipal Corporation,
Tirunelveli Town,
Tirunelveli.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a *Writ of Mandamus*, to direct the respondent to issue birth certificate to the petitioner's male child namely Aadhil Vignesh Maran who was born on 18.02.2025 at about 8.21 am at



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the Medical College Hospital, High Ground, Tirunelveli by not mentioning the biological fathers name not insisting the number of Reproductive and Child Health (RCH) within time stipulated by this Court.

For Petitioner	: Mr.I.Robert Chandra Kumar
For R1 & R2	: Mr.S.S.Shanmugavel Additional Government Pleader
For R3	: Mr.A.Sivanu Pandiyan

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the respondent to issue birth certificate to the petitioner's male child namely Aadhil Vignesh Maran who was born on 18.02.2025 at about 8.21 am at the Medical College Hospital, High Ground, Tirunelveli by not mentioning the biological father's name and not insisting the number of Reproductive and Child Health (RCH) within time stipulated by this Court.

2. The petitioner did not register the pregnancy under the Reproductive and Child Health. When she approached the respondents



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to issue a birth certificate for her male baby, namely Aadhi Vignesh Maran, the respondents refused to issue the birth certificate since the petitioner failed to produce the I.D number under Reproductive and Child Health (RCH). Further the petitioner has not mentioned the biological father's name.

3. By order dated 06.07.2020 passed in W.P. No. 7999 of 2020, this Court held that the respondents cannot refuse to issue a birth certificate by insisting on the biological father's name when the mother's specific stand is that she is a single parent.

4. Further, the same issue was also considered by the Hon'ble Supreme Court in the case of *ABC vs. State (NCT of Delhi)*, reported in *[2015] 10 SCC*, where the Court rendered a similar finding. However, the Hon'ble Supreme Court required the single parent to submit an affidavit. Based on this affidavit, the respondents can issue the birth certificate.



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5. Therefore, this Court is directing the respondents not to insist the petitioner to provide the RCH ID number and the name of the biological father of the child. However, the petitioner is directed to submit an affidavit as stated supra. On receipt of the affidavit, the respondents shall issue the birth certificate within four weeks from the date of receipt of a copy of this order.

6. With the above observations, this Writ Petition is allowed. There shall be no order as to costs.

13.06.2025

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

KSA



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S.SRIMATHY, J.

KSA

**ORDER MADE IN
W.P(MD)No.16079 of 2025**

DATED :13.06.2025