

W.P(MD)No.20018 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.07.2025

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)No.20018 of 2025

J.Amala Fatima Rathinam

... Petitioner

Vs.

The Commissioner,
Madurai Corporation,
Madurai.

...Respondent

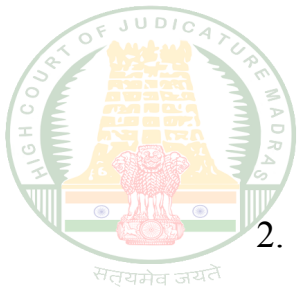
Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to enter the name of the petitioner in her birth certificate.

For Petitioner : Mr.C.M.Mari Chelliah Prabhu

For Respondent : M/s.S.Devasena
Standing Counsel

ORDER

The petitioner has approached this Court for Mandamus to enter the name of the petitioner in her birth certificate.



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2. It is the case of the petitioner that she was born on 13.02.1990 at Sahaya Annai Hospital, Koodal Nagar, Madurai. However, the petitioner's name has not been entered in the Birth Register.

3. It is noticed that the petitioner's date of birth has been reflected in the SSLC certificate, HSC Certificate and Transfer Cum Conduct Certificate. The petitioner has also enclosed the death certificate of her father, Late. Joseph Rajamanickam, who died on 12.09.2021. In the legal heir certificate also, the petitioner's status is recorded as daughter, along with her mother and two brothers. There are over whelming records to indicate that the petitioner's date of birth is 13.02.1990.

4. Although the learned Standing Counsel for the respondent submits that there is no scope for making an entry in the birth and death certificate after a lapse of 20 years, which was earlier 15 years, in terms of Rule 10 of the Tamil Nadu Registration of Births and Deaths Rules, 2000, I am of the view that the aforesaid Rule will not apply to the person, who was born prior to the commencement of the aforesaid Rules.



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5. The aforesaid Rule came into force with effect from 01.01.2000 pursuant to a Gazette notification in Tamil Nadu Government Gazette Ext.No.976 dated 29.12.1999. Prior to that, the registration of Births and Deaths was governed by the provisions of the Tamil Nadu Registration of Births and Deaths Act, 1969 and Tamil Nadu Registration of Births and Deaths Rules, 1977.

6. Be that as it may, the Rules are meant only to further the object of the Act to ensure that all the Births and Deaths are registered. In this case, the petitioner was born on 13.02.1990. Therefore, the incorporation of the petitioner's name in the Birth Register maintained by the respondent cannot be denied as it is relevant for other purpose which the petitioner may require.

7. Considering the same, there shall be a direction to the respondent to incorporate the name of the petitioner in the birth register and issue a birth certificate to that effect, as expeditiously as possible.

8. The writ petition stands disposed of with the above direction. No



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NCC : Yes / No
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To

The Commissioner,
Madurai Corporation,
Madurai.

C.SARAVANAN, J.



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