



W.P(MD)No.22728 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.08.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)No.22728 of 2025

B.Vennila

... Petitioner

Vs.

The Commisioner,
Thoothukudi Corporation,
Thoothukudi.

...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 change the name of the father as Hari Prasath instead of Duraipandi in the birth Certificate of petitioner's minor son namely Kavin registered under the Registration No.B-2020.33-16224-000962 and the same was issued on 26.05.2020 in the birth register maintained by the respondent on the basis of the representation of the petitioner dated 29.07.2025.

For Petitioner : Mr.P.Banuprasath

For Respondent : Mr.N.Ananda Kumar
Standing Counsel



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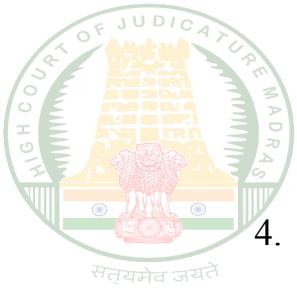
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ORDER

This writ petition has been filed for a Mandamus to direct the respondent to change the name of the father as Hari Prasath instead of Duraipandi in the birth Certificate of petitioner's minor son namely Kavin, in the birth register maintained by the respondent, based on the representation of the petitioner dated 29.07.2025.

2. The petitioner claims to have married one Duraipandi on 14.06.2019 and a son was born on 26.03.2020. It is submitted that subsequently the marriage between the petitioner and the said Duraipandi was dissolved pursuant to the mutual consent decree in H.M.O.P.No.206 of 2024 dated 30.12.2024 by the Family Court, Thoothukudi. Thereafter, the petitioner has contracted a second marriage with one Hari Prasath on 09.04.2025.

3. In this regard, the petitioner has submitted a representation dated 29.07.2025 for substituting the name of the said Duraipandi with the name of Hari Prasath as the father of the minor son in the birth certificate.



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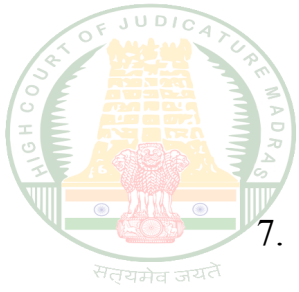
4. The learned counsel for the petitioner submits that the issue is now covered by the decision of this Court in W.P(MD)No.17095 of 2025 dated 25.06.2025. Reference is made to Paragraph Nos.4 and 5, which reads as under:

“4. Although the learned Standing Counsel for the respondent submits that the scope of alternation is confined to Section 15 of the Tamil Nadu Registration of Births and Deaths Act, 1969, this Court has time and again passed orders stating that the substitution of name also can be allowed as it confined to correction and cancellation of entry in the registration of births and deaths. It is open to the petitioner to produce copies of such judgments in her favour for considering the representation of the petitioner. The respondents are directed to consider the representation of the petitioner dated 28.01.2025 and pass appropriate orders on merits as expeditiously as possible preferably within a period of six weeks from the date of receipt of a copy of this order.

5. The writ petition stands disposed of with the above direction. There shall be no order as to costs.”

5. The facts of aforesaid case are similar to the facts of the present case.

6. Therefore, it is open to the petitioner to substantiate how the petitioner can claim that the second husband's name has to be incorporated in the Birth Certificate of her son by deleting the name of her former husband, namely, Duraipandi.



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7. The respondents shall consider the aforesaid representation dated 29.07.2025 and pass appropriate orders subject to the petitioner substantiating the legal position within a period of six weeks from the date of receipt of a copy of this order.

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

20.08.2025

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

The Commisioner,
Thoothukudi Corporation,
Thoothukudi.



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C.SARAVANAN, J.

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