



1

W.P.(MD)NO.28938 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.10.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.28938 of 2025

Murugan

... Petitioner

Vs.

1. The District Collector,
O/o.the District Collector,
Tirunelveli District.

2. The Revenue Divisional Officer,
Cheranmagadevi,
Tirunelveli District.

3. The Tahsildar,
O/o.the Tahsildar,
Tisayanvillai Taluk,
Tirunelveli District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to remove erroneously entered the name in the death certificate of the petitioner's father based on the representation dated 24.07.2024 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.S.P.Naveenkumar

For Respondents : Mr.B.Ramanathan,
Additional Government Pleader.

* * *

**ORDER**

Heard both sides.

2. The writ petitioner's father Thiru.Sudalaimani passed away on 24.03.2002. His death was duly registered and death certificate was also issued. The grievance of the petitioner is that his grand-father's name was wrongly mentioned as Muthaiya Nadar instead of Sudalaimuthu Nadar. He wants the death certificate to be properly amended and corrected. The petitioner's request was rejected by the Tahsildar on the ground that there is no scope for making the correction sought for. According to the respondents, only a clerical or formal error can be corrected. Hence, this writ petition has been filed.

3. The learned Additional Government Pleader draws my attention to G.O.(Ms).No.351 Health and Family Welfare(AB2) Department dated 31.07.2025. It reads as follows:-



WEB COPY



3

W.P.(MD)NO.28938 OF 2025



ABSTRACT

Public Health and Preventive Medicine – Vital Statistics - Registration of Births and Deaths (Amendment) Act, 2023 came into effect from 01.10.2023 – Notifying Tamil Nadu Registration of Births and Deaths Rules, 2025 – Orders – Issued.

HEALTH AND FAMILY WELFARE (AR2) DEPARTMENT

G.O.(Ms)No. 351

Dated: 31.07.2025

வினாக்கள், ஆம் - 16

திருவள்ளூர் ஆம் 8 2056

Read:

1. The Gazette of India No.23, Dated:11.08.2023.
2. The Gazette of India No.3698, Dated:13.05.2023.
3. The Registrar General and Census Commissioner of India letter No.1/7/2020 – VS(CR5), Part-I-1632, Dated: 09.02.2024.
4. The Director of Public Health and Preventive Medicine and Chief Registrar of Births and Deaths Tamil Nadu letter R.No.6973735/SBHI-WS/2023, Dated: 22.05.2025.

ORDER:

The enactment of the Registration of Births and Deaths (Amendment) Act, 2023, has been notified in the Gazette of India first read above and the Act has come into force with effect from 01.10.2023 as per the Gazette of India 2nd read above.

2. In the letter 3rd read above, the Registrar General of India has stated that in exercise of the powers conferred under section 30 of the Registration of Births and Deaths Act, 1969 (Amended in 2023), the State Government may, with the approval of the Central Government, make rules to carry out the purposes of the Act by notifying in the official Gazette of the respective State and as soon as after it is made shall be laid before the State Legislature. To facilitate the State Government to make Rules and with a view to keep uniformity, the Model Registration of Births and Deaths (Amendment) Rules, 2024 have been drafted by Registrar General of India for implementation of the provisions of Registration of Births and Deaths (Amendment) Act, 2023 by the States.

3. The Government of Tamil Nadu have examined the Model Registration of Births and Deaths Rules, 2024 sent by Government of India and in consultation with the Director of Public Health and Preventive Medicine and Chief Registrar of Births and Deaths have decided to adopt the same in the State with effect from 31.07.2025 and to notify the Tamil Nadu Registration of Births and Deaths Rules, 2025 in supersession of the Tamil Nadu Registration of Births and Deaths Rules, 2000.



WEB COPY

- (2) The parent or the guardian, as the case may be, shall also present to the Registrar the copy of the certificate given to him under section 12 or a certified extract issued to him under section 17 and on such presentation the Registrar shall make the necessary endorsement relating to the name of the child or take action as laid down in clause (b) of the proviso to sub-rule (1).

11. Correction or cancellation of entry in the register of births and deaths.- (1) If it is reported to the Registrar that a clerical or formal error has been made in the register or if such error is otherwise noticed by him and if the register is in his possession, the Registrar shall enquire into the matter and if he is satisfied that any such error has occurred, he shall correct the error (by correcting or cancelling the entry) as provided in section 15 and shall in the case of local authorities specified in column (1) of the Table below send an extract of the entry showing the error and how it has been corrected to the officer specified in Column (2) of the Table below:-

THE TABLE.

Registration Unit Type (1)	Officer (2)
Village Panchayat	Tahsildar
Town Panchayat	Executive Officer
Cantonment	Executive Officer
Municipality	Commissioner
Corporation	Commissioner
Government Medical Institution Location of Institution	
Village Panchayat	Tahsildar
Town Panchayat	Executive Officer
Municipality	Commissioner
Corporation	Commissioner
Neyveli Lignite Corporation	Chief Health Officer
Project Area	Tahsildar/ Commissioner

- (2) In the case of any error as referred to in sub rule (1) and if the register is not in his possession, the Registrar shall make a report to the officer specified in Column (2) of the Table under sub rule (1) and call for the relevant register and after enquiring into the matter, if he is satisfied that any such error has occurred he shall make necessary correction.

4. The expression clerical or formal error will have to be construed rather liberally. If the writ petitioner's grand-father's



name is actually Sudalaimuthu Nadar, then correction has to be made. Even a dead person cannot be wrongly referred to. However, the materials on record are not sufficient to come to the conclusion that the name of the writ petitioner's grand-father is Sudalaimuthu Nadar and not Muthiah Nadar. It is for the writ petitioner to place sufficient materials before the third respondent in support of his claim. If the third respondent is satisfied with the material furnished by the writ petitioner, then appropriate amendment shall be made in the death certificate and revised certificate shall be issued. The entire exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition stands allowed on these terms. No costs.

15.10.2025

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



WEB COPY



6

W.P.(MD)NO.28938 OF 2025

G.R.SWAMINATHAN,J.

PMU

To:

1. The District Collector,
O/o.the District Collector,
Tirunelveli District.
2. The Revenue Divisional Officer,
Cheranmagadevi,
Tirunelveli District.
3. The Tahsildar,
O/o.the Tahsildar,
Tisayanvillai Taluk,
Tirunelveli District.

W.P.(MD)No.28938 of 2025

15.10.2025



WEB COPY



7

W.P.(MD)NO.28938 OF 2025