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W.P.No.2736 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.01.2026

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 2736 of 2026

R.Chitra

...Petitioner

Vs.

1. The Zonal Officer,
Zone: 5, Ward: 032,
Greater Chennai Corporation,
Rippon Building,
EVR Periyar Salai (Poonamallee High Road)
Park Town,
Chennai.

2. The Registrar of Births and Deaths,
Greater Chennai Corporation,
Rippon Building, EVR Periyar Salai (Poonamallee High Road)
Park Town, Chennai.

3. The Commissioner
Greater Chennai Corporation,
Rippon Building, EVR Periyar Salai (Poonamallee High Road)
Park Town,
Chennai.

...Respondents



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Prayer: Writ Petition is filed under Section 226 of the Constitution of India for issue of Writ of Mandamus, directing the respondents to correct the name of the mother in the Birth Certificate of her Children R.Jayaprathip born on 27/12/2011 at RSM Hospital, 70, CEMENTARY ROAD, CHENNAI. The birth was duly registered with the respondent authority and a Birth Certificate bearing Registration No.2012/05/052/000372 dated 18/1/2012 was issued on 10/2/2012 and her second son R.Hemapriyan born on 10/7/2011 at RSM Hospital, 70, CEMENTARY ROAD, CHENNAI. The birth was duly registered with the respondent authority and a Birth Certificate bearing Registration No.2013/05/052/005902/0 dated 16/7/2013 and same was issued 10/9/2013, based on the petitioner's representation dated 21/11/2025, within a time frame fixed by this Court.

For Petitioner : Ms. B.Sri Padmaja

For Respondents : Mr. S.Gopinathan
Standing Counsel

ORDER

This writ petition is filed seeking a writ of mandamus, directing the respondents to correct the name of the mother in the Birth Certificate of her Children, i.e., R.Jayaprathip and R.Hemapriyan.



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2. The petitioner would submit that she is the mother of the minor children R.Jayaprathip and R.Hemapriyan. The said Jayaprathip was born on 27.12.2011 and the said Hemapriyan was born on 10.07.2013. Their births were duly registered with the respondents and birth certificates have been issued.

3. The petitioner would submit that in the birth certificate of her children her name has been wrongly typed as “Kala”. Therefore, the petitioner has submitted her representation dated 21.11.2025, to which the 2nd respondent has issued a reply that as per provisions of Section 15 of the Registration of Births and Deaths Act, 1969, he cannot correct the entry and advised the petitioner to effect gazette notification and submit the gazette notification along with original birth certificates. Therefore, the representation of the petitioner has not been disposed of in the manner known to law in as much as the petitioner has not been called for an enquiry. Therefore, the petitioner is before this Court seeking the relief set out supra.



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4. Heard the rival submissions on the either side and perused the records.

5. Section 15 of the Registration of Births and Deaths Act, 1969, reads as follows:

“Correction or Cancellation of entry in the register of births and deaths: *If it is proved to the satisfaction of the Registrar that any entry of a birth or death in any register kept by him under this Act is erroneous in form or substance, or has been fraudulently or improperly made, he may, subject to such rules as may be made by the State Government with respect to the conditions on which and the circumstances in which such entries may be corrected or cancelled, correct the error or cancel the entry by suitable entry in the margin, without any alteration of the original entry, and shall sign the marginal entry and add thereto the date of the correction or cancellation.”*



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6. Rule 11 (1) of the Tamil Nadu Registration of Births and Deaths Rules, 2000, would read as follows:

“Correction or cancellation of entry in the register of births and deaths under Section 15:

(i) 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 been made, he shall correct the error (by correcting or canceling 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) thereof.



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Local Authorities (1)
Village Panchayat

Town Panchayat
Contonment
Municipality
Neyveli Lignite
Corporation
Corporation

Officers (2)
Village Panchayat
President
Executive Officer
-do-
Commissioner
Chief Health Officer

Commissioner

7. A perusal of the above clearly indicates that the 2nd respondent is empowered to correct an error or cancel the erroneous or improper entry. The rules clearly sets out that if it is reported to the Registrar that a clerical or formal error has been made, he can conduct an enquiry and on being satisfied with the error been made, he is empowered to correct the same.

8. Therefore, a reply given by the 2nd respondent dated 02.12.2025 is absolutely erroneous particularly when the petitioner seeks to correct an erroneous entry.



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9. Accordingly, a mandamus is issued to the respondents to consider and pass orders on the representation of the petitioner, in the light of the language of the above rules, after giving an opportunity to the petitioner to submit her case, within a period of 3 weeks from the date of receipt of a copy of this order.

10. With the above observation and direction, this writ petition is disposed of. No costs.

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To

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