



WA No. 219 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HON'BLE MR.SUSHRUT ARVIND DHARMADHIKARI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

WA No. 219 of 2026

AND

CMP NO. 1967 OF 2026

The Registrar
Offices of Registration of Birth and Death,
Gudiyatham Municipality,
Vellore District - 632 602.

..Appellant

Vs

1. Vinnarasi
D/o. Francis Xavier,
No.3/46C, Karuppasamy Koil Street,
Meenatchipuram, Muguvur Via,
Rajapalayam Taluk, Virudhunagar District.
2. Gopalakrishna Nursing Home
Rep. by its Chief Medical Officer,
No.18, Kosa Annamalai Street,
Gudiyatham, Vellore District.

..Respondents

Prayer: Writ Appeal under Clause XV of the Letters Patent To set aside the order dated 22.08.2025 in WP No.31633 of 2025 and thus render justice.

For Appellant :

Mr. P. Srinivas

For Respondents :

Mr.S.Venkatasubramaniam For R1.
R2 - No Appearance.



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JUDGMENT

WEB COPY (Judgment of the Court was delivered by The Chief Justice)

The present writ appeal under Clause XV of the Letters Patent is filed assailing the order dated 22.08.2025 passed in W.P.No.31633 of 2025, whereby the writ petition filed by the first respondent seeking a writ of Mandamus to the appellant to deal with the application submitted by her seeking correction of the date of birth in the birth certificate as 29.12.2001 instead of 29.01.2002, was disposed of with the following directions.

" 4. This writ petition is disposed of with a direction to the 1st respondent to deal with the representation made by the petitioner on 10.07.2025 and carry out the necessary corrections in the birth certificate and issue the fresh Birth Certificate to the petitioner. This process shall be completed, within a period of four weeks from the date of receipt of a copy of this order."

2. Learned counsel for the appellant submitted that Rule 11 of the Tamil Nadu Registration of Births and Deaths Rules 2000 (hereinafter referred to as 'the Rules'), which deals with correction or cancellation of entry in the register of births and deaths under Section 15 of the main Act viz., Registration of Births and Deaths Act, 1969 (hereinafter referred to as 'the Act') provides for correction or cancellation of entry in the register of births and deaths. The said Rule is reproduced below.



WEB COPY

Rule 11: Correction or cancellation of entry in the register of Births and Deaths under Section 15.

(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 been made, 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) thereof."

3. As per the aforesaid Rule, the Registrar is the competent authority to enquire into the matter and if he is satisfied that any such error has been made, he shall correct the error (by correcting or cancelling the entry) and issue a fresh birth certificate.

4. Learned counsel for the appellant further submitted that the learned Single Judge fell in error in directing the appellant to deal with the representation dated 10.07.2025 and carry out necessary correction in the birth certificate and issue a fresh birth certificate to the first respondent. No enquiry whatsoever has been conducted as contemplated under Rule 11 of



the Rules and therefore the order of the learned Single Judge deserves to be set aside.

5. On the other hand, the learned counsel for the first respondent submitted that the first respondent should be permitted to participate in the enquiry, if any, to be conducted under Rule 11.

6. We have heard the learned counsel for the parties and have gone through the records.

7. The learned Single Judge, without considering Rule 11 of the Rules, has straight away directed the appellant to consider the representation and issue a fresh birth certificate correcting the date of birth of the first respondent. In view of the provisions of the Rules and the Act mentioned herein above, we are of the view that the learned Single Judge has committed an error in issuing such a direction. Accordingly, the order passed by the learned Single Judge cannot be sustained and the same is hereby set aside.

8. The appellant is directed to conduct an enquiry under Section 15 of the Act read with Rule 11 of the Rules in accordance with law. It is made clear that the first respondent shall be granted an opportunity of hearing



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before passing the order. The said exercise be completed as expeditiously as possible, preferably within a period of two (2) months from today. The writ appeal is allowed accordingly. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(SUSHRUT ARVIND DHARMADHIKARI, C.J.) (G.ARUL MURUGAN J.)

25-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

KST

To

The Registrar
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