



W.P.(MD).No.622 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.01.2026

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.622 of 2026

I.Abdul Baseeth

... Petitioner

Vs.

1. The Madurai City Municipal Corporation,
Represented by the Commissioner,
Anna Maligai,
Thallakulam,
Madurai – 625 002.

2. The Assistant City Health Officer,
The Madurai City Municipal Corporation,
Anna Maligai, Thallakulam,
Madurai – 625 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records in connection with the impugned order dated Nil.12.2025 in Letter No.H6/16148/2025 passed by the second respondent and quash the same as illegal and consequently directing the respondents to incorporate the petitioner's daughter's name Safreen Fathima A in the birth certificate issued by the first respondent Corporation vide Reg.No.28 in Certificate No.26367, dated 12.03.2010.



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For Petitioner : Mr.M.Seeni Sulthan

For Respondents : Mr.Devasena
Standing Counsel

ORDER

The present writ petition has been filed seeking to quash the order passed by the second respondent and directing the respondents to incorporate the petitioner's daughter's name Safreen Fathima A, in the birth certificate issued by the first respondent Corporation vide Reg.No.28 in Certificate No.26367, dated 12.03.2010.

2. The writ petitioner's daughter was born on 18.05.2008 and when the Birth Certificate was registered on 28.05.2008, the name was not incorporated. Therefore, the petitioner has submitted a representation to the respondent Corporation on 31.10.2025, which has been rejected under the impugned order, on the ground that such a request has been made belatedly.

3. This Court, had an occasion to consider the similar issue in W.P(MD) No.15728 of 2025 dated 11.06.2025. Paragraph Nos.2 to 7 of the said order are extracted as follows:



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“2. As per the Tamil Nadu Registration of Births and Deaths Rules, 2000, the amendment brought to Rule 10(1) of the aforesaid Rule, following proviso has been added:

“Provided also that on and from the 27.09.2021, in cases where the registration had been made prior to the date of commencement of the Tamil Nadu Registration of Births and Deaths Rules, 2000 and the information regarding the name of the child is not given within the time-limit specified in the second proviso, for the purpose of taking action as laid down therein, the parent or guardian of the child shall give the information regarding the name of the child to the Registrar within a further period of five years:

Provided also that on and from the 27.09.2021, in cases where the registration had been made after the date of commencement of the Tamil Nadu Registration of Births and Deaths Rules, 2000 and the time limit specified in the first proviso has already been lapsed, for the purpose of taking action as laid down therein, the parent or guardian of the child shall give the information regarding the name of the child to the Registrar within a further period of five years”

3. The petitioner was born on 22.09.1984. Although the petitioner's birth was registered on 28.11.1986, the petitioner's name was not included in the birth register. Since the inclusion of name is now required in connection with his employment in abroad, the petitioner approached the respondents for inclusion of his name in the birth certificate, so as to produce an



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extract before the appointing authority/employing authority. However, the respondents rejected the request, citing the aforementioned amendments to the Tamil Nadu Registration of Births and Deaths Rules, 2000.

*4. The learned counsel for the petitioner has drawn attention to the identical issue dealt by the High Court of **Karnataka in the case of Fathima Richelle Mather Vs The Registrar of Births and Deaths and Commissioner.***

5. I have considered the arguments advanced by the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

6. I am of the view that the Rules cannot be inflexible, so as to deprive the citizens right of livelihood. In this case, the application of the amendment to the aforesaid Rules has resulted in the rejection of the petitioner's request for inclusion of his name in the birth register. The Rules are intended only for furthering the object of the Act and not put the citizens to any disadvantage. That apart, when the petitioner was born, it was not mandatory for registration of the birth or inclusion of the name in the register. Therefore, I see no impediment in quashing the impugned order.



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7. Accordingly, the impugned order stands quashed and the respondents are directed to incorporate the name of the petitioner in the birth register maintained by them under the provisions of the Tamil Nadu Registration of Births and Deaths Act and give an extract of the same after incorporating the name of the petitioner in the birth register. It is needless to state that the petitioner shall pay the requisite charges that are required for the aforesaid operation. The entire exercise shall be completed within a period of two months from the date of receipt of a copy of this order.”

4. In view of the above said facts, this Writ Petition stands allowed and the respondents are directed to incorporate the name of the petitioner's daughter's name in the birth certificate and issue fresh birth certificate within a period of eight weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

12.01.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR,J.

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