



W.P.(MD)No.7946 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 25.03.2026

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THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.7946 of 2026

Srinivasan

... Petitioner

vs.

1.The Commissioner,
Kumbakonam Municipality,
Thanjavur.

2.The Registrar of Births and Deaths,
Kumbakonam Municipal Corporation,
Thanjavur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 1st respondent to cancel the erroneous Birth Certificate dated 16.12.2015 bearing Registration No.105/2015/12/00012 and to declare the birth certificate bearing Registration No.105/1989/1/02275 dated 19.12.2024 in the nature of the petitioner birth on the petitioner representation dated 21.04.2025.

For Petitioner :Mr.S.Mukilan
For Respondents :Mr.B.Jameel Arasu



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4. The learned counsel for the respondents submitted that the entry recording the date of birth as 17.06.1989 was made pursuant to the order of the jurisdictional Magistrate and, therefore, there is no provision for cancellation of the said birth certificate.

5. The learned counsel for the petitioner, on the other hand, relied upon Section 15 of the Registration of Births and Deaths Act, 1969.

6. Section 15 of the Act provides that if it is proved to the satisfaction of the Registrar that any entry of birth or death in any register is erroneous in form or substance, or has been fraudulently or improperly made, the Registrar may, subject to the prescribed rules, correct or cancel such entry by making a suitable marginal entry, without altering the original entry.

7. Rule 11(4) of the Tamil Nadu Registration of Births and Deaths Rules, 2000, further provides that where an entry is alleged to be erroneous in substance, the Registrar may correct the same upon production of a declaration setting forth the nature of the error and the



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true facts, duly supported by two credible persons having knowledge of the facts.

8. It is now well settled that the power to effect correction of entries relating to date of birth is vested with the competent authority, namely, the Revenue Divisional Officer. Ordinarily, this Court would direct the petitioner to approach the said authority. However, in the present case, the original entry was made on the basis of hospital records, which clearly establish that the petitioner's date of birth is 17.08.1989. The subsequent entry came to be made pursuant to an order obtained from the jurisdictional Magistrate, apparently due to inadvertence. Hospital records are the earliest and most reliable documents relating to a person's birth. They are prepared at the time of birth by a medical institution in the normal course of duty and, therefore, carry high evidentiary value. Such records form the basis for registration of birth and are generally free from later alterations.

9. In matters relating to date of birth, greater weight is given to these primary documents rather than to subsequent records or



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declarations. In the present case, the original entry showing the petitioner's date of birth as 17.08.1989 is supported by hospital records and hence deserves to be accepted as the correct date of birth.

10. The existence of two birth certificates with different dates of birth cannot be sustained in law.

11. In the light of the above, this Court is of the considered view that the petitioner has made out a case for interference. Accordingly, this writ petition is disposed of with a direction to the first respondent to cancel the birth certificate dated 16.12.2015, wherein the petitioner's date of birth is recorded as 17.06.1989, and to restore the original entry recording the date of birth as 17.08.1989.

12. There shall be no order as to costs.

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

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HEMANT CHANDANGOUDAR, J.

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