

W.P(MD)No.10389 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

Writ Petition(MD)No.10389 of 2026

and

W.M.P(MD)No.8161 of 2026

Jeyanthi

.. Petitioner

Vs

1.The Registrar of Birth and Deaths,
Theni Municipality,
Theni-Allinagaram,
Theni District.

2.The Commissioner,
Theni Municipality,
Theni District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the second respondent vide his proceedings Na.Ka.No.1012/2026/H-2 dated 26.03.2026 and quash the same as illegal, and consequently direct the second respondent to substitute the name of V.Selvaraj in the place of V.Narayanasamy in the column Name of the father in birth certificate having Registration No.125/2008/03/00371 dated 26.06.2008.



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For Petitioner : Mr.J.Vimal Pandian

For Respondents : Mr.G.Kaleeswaran
Standing Counsel

ORDER

The petitioner assails the order dated 26.03.2026 issued by the second respondent, whereby the petitioner's request to substitute the name of the biological father with that of the stepfather in the birth certificate of her daughter, namely, N. Janani, was rejected.

2.The petitioner states that she had married one Narayanasamy and, from the said wedlock, a daughter, N. Janani, was born on 25.06.2008. In the birth certificate, the name of Narayanasamy is reflected as the father. It is further stated that Narayanasamy died on 19.06.2006, and thereafter, the petitioner contracted a second marriage with one Selvaraj, who is the brother of the deceased Narayanasamy. The petitioner submitted an application seeking substitution of the name of the stepfather in place of the biological father in the birth certificate. The said application came to be rejected by the impugned order.



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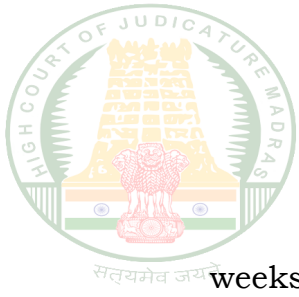
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3.Heard the learned counsel appearing on either side.

4.A Coordinate Bench of this Court, in W.P. (MD) No. 30055 of 2023 dated 27.02.2024, had directed issuance of a revised birth certificate by substituting the name of the stepfather in place of the biological father, placing reliance on the decision in *Mrs. B.S. Deepa v. The Regional Passport Officer, Chennai and another* [2015-I-L.W. 943]. In the said decision, directions were issued to incorporate appropriate provisions enabling applicants to indicate the names of biological parents, adoptive parents, or step-parents, depending on the circumstances.

5.In light of the above judicial pronouncements, the impugned order passed by the second respondent is not sustainable and is liable to be set aside.

6.Accordingly, this writ petition is allowed and the impugned order passed by the second respondent in *Na.Ka.No.1012/2026/H-2* dated 26.03.2026 is set aside. The respondents are directed to reconsider the petitioner's representation dated 05.03.2026 on its own merits and in the light of the aforesaid judgments, and to pass appropriate orders in accordance with law within a period of six (6)



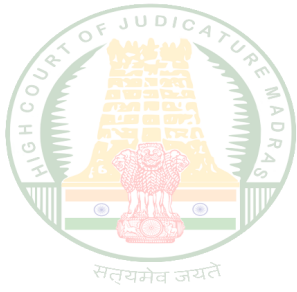
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weeks from the date of receipt of a copy of this order, subject to the petitioner paying the requisite statutory fee. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

27.04.2026

NCC : Yes/No
Index : Yes/No
Internet:Yes
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HEMANT CHANDANGOUDAR, J.

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