

[CR]

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

TUESDAY, THE 19<sup>TH</sup> DAY OF JULY 2022 / 28TH ASHADHA, 1944

WP(C) NO. 4262 OF 2022

**PETITIONER:**

- 1 XXXXXXXXXXXX  
XXXXXXXXXXXX XXXXXXXXXXXX
- 2 Y  
BEING VICTIM ANONYMITY SUBMITTED IN THE SEALED  
COVER, PIN - 682034  
BY ADVS.  
ATUL SOHAN  
SREEJA SOHAN K.  
K.V.SOHAN  
VINAI JOHN  
R.REJI (ATTINGAL)

**RESPONDENTS:**

- 1 THE REGISTRAR OF BIRTHS AND DEATHS  
PATHANAMTHITTA MUNICIPALITY  
CENTRAL JUNCTION, PATHANAMTHITTA,  
KERALA 689645, PIN - 689645
- 2 GENERAL EDUCATION DEPARTMENT,  
GOVERNMENT OF KERALA  
ROOM NO. 302,  
3RD FLOOR, ANNEX II,  
GOVERNMENT SECRETARIAT,  
THIRUVANANTHAPURAM-695001  
REPRESENTED BY ITS PRINCIPAL SECRETARY
- 3 THE BOARD HIGHER SECONDARY EXAMINATIONS,  
GOVERNMENT OF KERALA  
THE DIRECTORATE OF HIGHER SECONDARY EDUCATION,  
HOUSING BOARD BUILDING, SANTHI NAGAR,  
THIRUVANANTHAPURAM 695001.  
REPRESENTED BY ITS SECRETARY

- 4 THE UNIQUE IDENTIFICATION AUTHORITY OF INDIA  
(UIDAI)  
GOVERNMENT OF INDIA (GOI)  
BANGLA SAHIB ROAD, BEHIND KALI MANDIR,  
GOLE MARKET, NEW DELHI - 110001
- 5 INCOME TAX DEPARTMENT  
REP. BY PRINCIPAL CHIEF COMMISSIONER, KERALA  
C.R. BUILDING, I.S. PRESS ROAD,  
COCHIN,  
KERALA 682 018
- 6 THE PASSPORT OFFICER,  
SNSM BUILDING, 3,4TH FLOOR, KAITHAMUKKU PETTA RD,  
THIRUVANANTHAPURAM,  
KERALA 695024
- 7 ELECTION COMMISSION OF INDIA,  
REP. BY PRINCIPAL SECRETARY  
NIRVACHAN SADAN, ASHOKA ROAD,  
NEW DELHI 110001.
- 8 STATE ELECTION COMMISSION  
REP. BY CHIEF ELECTORAL OFFICER  
ELECTION DEPARTMENT  
KERALA LEGISLATIVE COMPLEX  
VIKAS BHAVAN P.O.  
THIRUVANANTHAPURAM 695033.

BY ADVS.

THE REGISTRAR OF BIRTHS AND DEATHS PATHANAMTHITTA  
MUNICIPALITY (Party-In-Person)

MANU S., ASG OF INDIA

JOSE JOSEPH, SC, INCOME TAX DEPARTMENT, KERALA

SHRI.DEEPULAL MOHAN, SC, STATE ELECTION  
COMMISSION, KERALA

P.K.RAVINDRANATHA MENON (SR.)

R1 BY ADV.SRI.V.K.SUNIL

SMT.DEEPA NARAYANAN, SR.GP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON  
19.07.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**[C.R]**

**P.V.KUNHIKRISHNAN, J.**

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**W.P.(C).No.4262 of 2022**

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**Dated this the 19<sup>th</sup> day of July, 2022**

**JUDGMENT**

This is a sad story of a mother and her son. The 2<sup>nd</sup> petitioner is an unfortunate mother who conceived the 1<sup>st</sup> petitioner while she was a minor under a mysterious circumstance by an unidentified person. This writ petition is filed by the petitioners to expunge and remove the father's name from the birth register maintained by the office of the 1<sup>st</sup> respondent with respect to the 1<sup>st</sup> petitioner and issue a certificate showing the mother's name only as a single parent. A child of an unwed mother is also a citizen of our country, and nobody can infringe any of his/her fundamental rights, which are guaranteed in our Constitution. He/she is a son/daughter of not only the unwed mother but this great country "India." We need to live in a country where there will

be no example to cite for the word "bastard" and let that word continue in the dictionary pages without getting an opportunity to give examples to the young student generation of English. The children of unwed mothers and the children of raped victim can also live in this country with the fundamental rights of privacy, liberty, and dignity. None can intrude into their personal life, and if it happens, the constitutional Court of this country will protect their fundamental rights. The Apex Court has held that a woman's reproductive choice is a fundamental right and compassed the same under Article 21 of the Constitution of India. In **Suchita Srivastava and Another v. Chandigarh Administration [AIR 2010 SC 235]**, the Apex Court held thus:

“There is no doubt that a woman's right to make reproductive choices is also a dimension of "personal liberty" as understood under Article 21 of the Constitution of India. It is important to recognize that reproductive choices can be exercised to

procreate as well as to abstain from procreating. The crucial consideration is that a woman's right to privacy, dignity, and bodily integrity should be respected."

2. Referring to the above judgment, the Apex Court in **Devika Biswas v. Union of India and Others [AIR 2016 SC 4405]** observed thus:

"This Court recognized reproductive rights as an aspect of personal liberty under Article 21 of the Constitution in **Suchita Srivastava v. Chandigarh Administration**. The freedom to exercise these reproductive rights would include the right to make a choice regarding sterilization on the basis of informed consent and free from any form of coercion".

3. The Apex Court in **K.S. Puttuswamy v. Union of India [2017 (4) KLT 1]**, observed like this:

"To live is to live with dignity. The draftsmen of the Constitution defined their vision of the society in which

constitutional values would be attained by emphasising, among other freedoms, liberty and dignity. So fundamental is dignity that it permeates the core of the rights guaranteed to the individual by Part III. Dignity is the core which unites the fundamental rights because the fundamental rights seek to achieve for each individual the dignity of existence. Privacy with its attendant values assures dignity to the individual and it is only when life can be enjoyed with dignity can liberty be of true substance. Privacy ensures the fulfilment of dignity and is a core value which the protection of life and liberty is intended to achieve."

4. In the light of the above decisions, the facts of the present case are to be considered. To keep the anonymity of the son and the mother, who are the petitioners in this writ petition, the 1<sup>st</sup> petitioner son is referred to as "X" and the 2<sup>nd</sup> petitioner mother is referred to as "Y". The name of the father of the 1<sup>st</sup> petitioner is given differently in three different documents, and therefore, the father's name is referred as "Z", "Z1" and "Z2".

5. The 1<sup>st</sup> petitioner was conceived by the 2<sup>nd</sup> petitioner, the mother of the 1<sup>st</sup> petitioner, while she was a minor under mysterious circumstance by an unidentified

person. Therefore the father's name of the 1<sup>st</sup> petitioner happened to be recorded differently in different documents. The name of the mother of the 1<sup>st</sup> petitioner is correctly recorded in all identification and education certificates. In the birth registration certificate of the 1<sup>st</sup> petitioner before the Registrar of Births and Deaths, Pathanamthitta, the father's name is recorded as "Z". Ext.P1 is the copy of the birth certificate. In the Secondary School Leaving Certificate (SSLC), the name of the father of the 1<sup>st</sup> petitioner is recorded as "Z1". Ext.P1(2) is the copy of the certificate(SSLC). In the Higher Secondary Examination (HSE) Certificate, the parents' names are not recorded on the face. Ext.P1(3) is the copy of the HSE certificate. In the Election ID, mother's name is recorded on the face. Ext.P1(4) is the copy of the Election ID card of the 1<sup>st</sup> petitioner. In AADHAR card, name of the father of the 1<sup>st</sup> petitioner is recorded as "Z2". Ext.P1(5) is the copy of the AADHAR card. In the driving licence, the name of the mother alone is recorded on the face. Ext.P1(6) is the copy of the driving licence of the 1<sup>st</sup>

petitioner. In the card showing the Permanent Account Number (PAN), name of the mother, "Y" alone is recorded on the face. In the Passport, the name of the father is recorded as "Z3". The same is produced as Ext.P1(8).

6. Since the paternal name of the 1<sup>st</sup> petitioner appears differently in different documents and the name is uncertain, the petitioner did not want the father's name to be recorded in any of the documents and certificates. Hence the 1<sup>st</sup> petitioner sent a request to the 1<sup>st</sup> respondent as well as respondents 2 to 8 requesting to delete the name of the father of the petitioner appears in all identity certificates, records, and databases concerning the 1<sup>st</sup> petitioner and after deleting the name of the father, to issue new corrected identity cards and certificates. Ext.P1 is the request submitted by the petitioner.

7. The 1<sup>st</sup> respondent is the statutory authority under the Central Act, namely The Registration of Births and Deaths Act, 1969 (for short, the Act 1969). The 1<sup>st</sup> respondent is chronologically the first authority to record the name of the

parents. Section 15 of the Act 1969 gives power to the 1<sup>st</sup> respondent to correct the entries. The State of Kerala framed Rules as per the Act, which enables such correction and deletion of errors that are wrongly or improperly made. Moreover, the Government of India, as per Ext.P3 letter, circulated to all Chief Registrar of Births and Deaths in the country directing that the name of the single parent will be written in the birth record, and the name of the other parent must be left blank if such requests are made. This letter was issued in the light of the judgment of the Apex Court in **ABC v. State (NCT of Delhi) [2015 (10) SCC 1]**. In the light of the law declared by the Apex Court and clarified by the direction in Ext.P3, it is the case of the petitioner that the 1<sup>st</sup> respondent is bound to expunge the name of the father from the Birth Register and based on which the other respondents are also bound to correct the records in tune with the same. Hence this writ petition is filed with following prayers:

A. Direct Respondent No.1 to expunge and

remove the name of father from the Birth Register maintained at his office regarding petitioner no.1 and issue certificate showing the name of the mother only as a single parent.

B. Direct respondents 2 to 8 effect consequential expunge of name of the father from their official records and databases,

Grant such other reliefs which may be prayed for hereafter and this Hon'ble Court deems fit and proper to grant in the facts and circumstances. (SIC)

8. Heard Adv.K.V.Sohan, learned counsel for the petitioner, and Adv.V.K.Sunil, who appeared for the 1<sup>st</sup> respondent. The learned Assistant Solicitor General of India Adv.S.Manu appeared for the 6<sup>th</sup> respondent. Adv.Jose Joseph appeared for the 5<sup>th</sup> respondent and Adv. Deepu Lal Mohan appeared for the 7<sup>th</sup> respondent. I also heard the learned Senior Government Pleader Adv.Deepa Narayanan.

9. The learned counsel for the petitioner reiterated the contentions raised in the writ petition. The learned counsel

submitted that the 1<sup>st</sup> petitioner is an unfortunate youngster who had to go behind the respondents to make corrections in his identity certificates with the name of a single parent even though the same is declared by the Apex Court in **ABC's case** (supra) and the Government of India has clarified the same in Ext.P3. The learned counsel also relied on the judgment of this Court in **XXXX v. State of Kerala and Others [2021 (4) KHC 641]**. The learned counsels appearing for the respondents submitted that the respondents would act in accordance with the directions issued by this Court.

10. Section 15 of the Act 1969 deals with the correction or cancellation of entry in the register of births and deaths. It will be beneficial to extract Section 15 of the Act 1969:

“15. 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.”

11. As per Section 15, 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. The Kerala Registration of Births and Deaths Rules, 1999 (for short, the Rules 1999) was framed in exercise of the powers conferred by Section 30 of the Act 1969. Rule 11 of the Rules 1999 is relevant, and the same is extracted hereunder:

“11. Correction or cancellation of entry in the register of births and deaths -

(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 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 send an extract of the entry showing the error and how it has been corrected to the State Government or the officer specified by it in this behalf.

(2) If any person asserts that any entry in the register of births and deaths is erroneous in substance, the Registrar may correct the entry in the manner prescribed under section 15 upon production by that person a declaration setting forth the nature of the error and true facts of the case made by two credible persons having knowledge of the facts of the case. Notwithstanding anything contained in sub-rule (1) and sub-rule (2) the Registrar shall make report of any correction of the kind referred to therein giving necessary details to the State Government or the officer specified in this behalf.

(3) If it is proved to the satisfaction of the Registrar that any entry in the register of births and deaths has been fraudulently or improperly made, he shall make a report giving necessary details to the officer authorised by the Chief Registrar by general or special order in this behalf under section 25 and on hearing from him take necessary action in the matter.

(4) In every case in which an entry is corrected or cancelled under this rule, intimation thereof should be

sent to the permanent address of the person who has given information under section 8 or section 9. ”

12. As per Rule 11(2), if any person asserts that any entry in the register of births and deaths is erroneous in substance, the Registrar may correct the entry in the manner prescribed under Section 15 upon production by that person, a declaration setting forth the nature of the error and true facts of the case made by two credible persons having knowledge of the facts of the case. It is also stated that notwithstanding anything contained in sub-rule (1) and sub-rule (2) of Rule 11, the Registrar shall make report of any correction of the kind referred to therein, giving necessary details to the State Government or the officer specified in this behalf. Therefore, on a combined reading of Section 15 of the Act 1969 and Rule 11 of the Rules 1999, it is clear that a correction of an entry in the Register of Births and Deaths is possible in certain circumstances mentioned in it.

13. The Apex Court in **ABC's case** (supra) also considered a similar issue. The apex court was considering

the legal conundrum as to whether it is imperative for an unwed mother to specifically notify that the putative father of the child to whom she has given birth to in her petition for appointment as the guardian of her child. The Apex Court discussed the matter in paragraph 19 of the above judgment and the same is extracted hereunder:

“We are greatly perturbed by the fact that the Appellant has not obtained a Birth Certificate for her son who is nearly five years old. This is bound to create problems for the child in the future. In this regard, the Appellant has not sought any relief either before us or before any of the Courts below. It is a misplaced assumption in the law as it is presently perceived that the issuance of a Birth Certificate would be a logical corollary to the Appellant succeeding in her guardianship petition. It may be recalled that owing to curial fiat, it is no longer necessary to state the name of the father in applications seeking admission of children to school, as well as for obtaining a passport for a minor child. However, in both these cases, it may still remain necessary to furnish a Birth Certificate. The law is dynamic and is expected to diligently keep pace with time and the legal conundrums and enigmas it presents. There is no gainsaying that the identity of the mother is never in doubt. Accordingly, we direct that if a single parent/unwed mother applies for the issuance of a

Birth Certificate for a child born from her womb, the Authorities concerned may only require her to furnish an affidavit to this effect, and must thereupon issue the Birth Certificate, unless there is a Court direction to the contrary. Trite though it is, yet we emphasize that it is the responsibility of the State to ensure that no citizen suffers any inconvenience or disadvantage merely because the parents fail or neglect to register the birth. Nay, it is the duty of the State to take requisite steps for recording every birth of every citizen. To remove any possible doubt, the direction pertaining to issuance of the Birth Certificate is intendedly not restricted to the circumstances or the parties before us.”

14. Similarly, in **XXXX’s case** (supra), this Court was considering the situation of a single parent/ unwed mother getting conceived by Assisted Reproductive Technology (ART). In that case, this Court directed the Government to bring out a separate form, which does not contain a field requiring the name and other details of the father.

15. In **Shalu Nigam and Another v. Regional Passport Officer and Another [2016 KHC 3587]** the Delhi High Court considered the **ABC’s Case** (Supra) and observed as follows:

"17. The Supreme Court in ABC Vs. State (NCT of Delhi), AIR 2015 SC 2569 has held that it is not imperative for an unwed mother to specifically notify the putative father of the child whom she has given birth to of her petition for appointment as the guardian of her child. The Supreme Court in the said judgment has held as under:-

"9. ....In situations such this, where the father has not exhibited any concern for his offspring, giving him legal recognition would be an exercise in futility. In today's society, where women are increasingly choosing to raise their children alone, we see no purpose in imposing an unwilling and unconcerned father on an otherwise viable family nucleus. It seems to us that a man who has chosen to forsake his duties and responsibilities is not a necessary constituent for the well being of the child.....

xxx xxx xxx

11. ....Any responsible man would keep track of his offspring and be concerned for the welfare of the child he has brought into the world; this does not appear to be so in the present case, on a perusal of the pleading as they presently portray.....

12. We recognize that the father's right to be involved in his child's life may be taken away if Section 11 is read in such a manner that he is not given notice, but given his lack of involvement in the child's life, we find no reason to prioritize his rights over those of the mother or her child.....

13. ....the welfare of the child would be undermined if the Appellant is not compelled to disclose the identity of the father, or that Court notice is mandatory in the child's interest. On the contrary, we find that this may well protect the child from social stigma and needless controversy.

xxx xxx xxx

15. ....The views of an uninvolved father are not essential, in our opinion, to protect the interests of a child born out of wedlock and being raised solely by his/her mother..... The sole factor for consideration before us, therefore, is the welfare of the minor child, regardless of the rights of the parents.....

xxx xxx xxx

18. ....The provisions of the Convention which we have extracted indeed reiterate the settled legal position that the welfare of the child is of paramount consideration vis a vis the perceived rights of parents not only so far as the law in India is concerned, but preponderantly in all jurisdictions across the globe....."

(emphasis supplied)

18. The Supreme Court in the case of ABC (supra) also quoted with approval the Convention on the Rights of the Child in particular its [Article 12](#) which reads as under:-

"1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance

with the age and maturity of the child.

2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law."

16. In **Ms. Vindhya Saxena & Another v. East Delhi Municipal Corporation** (Order dated 24.03.2022 in LPA No.308 of 2021), a Division Bench of the Delhi High Court observed that the appellant therein has not brought to the notice of the Court any law suggesting that only the name of the father could be reflected in the AADHAR Card of the minor child. In **Mathumitha Ramesh v. Chief Health Officer Tiruchirapalli and Others [2018 KHC 4410]**, the Madras High Court observed as follows:

"15. In the light of these statements made in the affidavit and also taking cognizance of the fact that the identity of the semen donor cannot be revealed, it follows that the authorities cannot insist for disclosure of the name of the father of the child. Accordingly, an interim order came to be passed by this Court on

24.04.2018 directing the first respondent to remove the name of Mr.Manish Madanpal Meena in the birth certificate of the petitioner's daughter namely, Tavishi Perara born on 23.04.2017 and the matter is directed to be listed today for reporting compliance.

16.Today, when the matter came up for hearing, the learned counsel for the fourth respondent submitted that pursuant to the directions of this Court dated 24.04.2018, the birth certificate of the petitioner's daughter namely, Tavishi Perara born on 23.04.2017 at Cethat Hospital, Trichy has been rectified in their register and a certificate has also been issued in which the name of the father of the child has been left blank and the petitioner's name has been shown as the mother of Tavishi Perara."

17. Moreover, in Ext.P3, which is the letter issued by the Government of India, the Ministry of Home Affairs clarified the position in the light of the decision of the Apex Court in **ABC's Case** (Supra). It will be better to extract the contents in Ext.P3 here:

To,

All Chief Registrar of births and deaths

Dated: 21-07-2015

Sub. Honble Supreme Court Judgment regarding registration of birth of a child in case of single parent /

unwed mother/RE HIGH OF KER

Sir,

Your attention is invited to the recent Judgment of Honb'le Supreme Court of India delivered on 6th July, 2015 in respect of ABC (Appellant) versus the State (NCT of Delhi), Civil Appeal No. 2015 arising out of SLP (civil) No 28367 of 2011. This appeal is directed against the High Court, Delhi Judgment dated 08-08-2011. The said appeal was filed under Section 7 of the Guardians and Wards Act, 1890. 2. The Honble Supreme Court in its Judgment stated that "If a single parent/unwed mother apply for the issuance of a Birth Certificate for a child born from her womb, the Authorities concerned may only require her to furnish an affidavit to this effect, and must thereupon issue the Birth Certificate, unless there is a Court direction to the contrary" The Court also directed that no citizen suffers any inconvenience or disadvantage merely because the parents fail or neglect to register the birth.

3. Taking into consideration the above direction, you are requested to issue the necessary direction to the concerned registration functionaries for strict compliance of above direction and ensure that no one is denied birth registration of a child of a single parent / unwed mother. In such cases, the name of single parent will be written in the birth record and name of other parent will be left blank. For registration of such cases, the requisite documents as suggested by the Honble court should be retained as permanent record. This office may be apprised about the

action taken in this regard.”

18. From the above discussions, it is clear that it is the right of a person to include his mother's name alone in the birth certificate, identity certificates and other documents. As I observed earlier, there are children of rape victims and children of unwed mothers in this country. Their right of privacy, dignity and liberty cannot be curtailed by any authority. The mental agony of such person is to be imagined by every citizen of this country while intruding into their privacy. In some cases it will be a deliberate act and in other cases it may be by mistake. But the State should protect citizens of all such kind as equal to other citizens without disclosing their identity and privacy. Otherwise, they will face unimaginable mental agonies.

19. The mental agony faced by a person, who does not know their parents is picturised by the character of "Karna" in the ancient epic "Maharabharatha". "Karna" was not aware of his parents till his mother "Kunthi Devi" told him about the truth. The mental agony and insult faced by "Karna" is

picturised way back in the ancient time itself by "Vedavyasa" in "Mahabharatha". In tune with the above story, Mali Madhavan Nair wrote a story (Aattakadha) in "Kathakali" which is popularly known as "Karnashapadham". The mental agony and insult faced by "Karna" is picturised in a "Padham" (verse) of "Karnashapadham". The same is extracted hereunder:

"എന്തിഹ മൻമാനസേ സന്ദേഹം വളരുന്ന  
അംഗേശനാമീ ഞാൻ എങ്ങു പിറന്നവനോ  
ഇങ്ങാരറിവു ഞാനാര്  
എങ്ങെന്റെ വംശമെന്നോ  
XXXX XXXX XXXX XXXX  
ഹാ! ദൈവമേ എൻ ജന്മ ദാതാക്കളാരോ  
കാണുമോ ഞാനവരെ  
കാണുകയില്ലായെന്നോ  
കാണാതെ മരിക്കുവാനാണോ ശിരോലിഖിതം"

20. It is difficult to translate the above "padham" to English with the same artistic beauty. However, since the language of this judgment is in English, the meaning in plain

words is to be stated. The meaning is like this:

“Why doubts and indecision are going  
through my heart!

Even though I am the King of Angarajya

I do not know where I was born!

Does anybody know where I was born  
and what is the sect?

XXXX XXXX XXXX XXXX

Oh my God! Who are my parents?

Will I be able to see them, or is it my fate  
to die before meeting them!”

When the above “Padham” was sung by the legends like Late Kalamandalam Hyderali and Kalamandalam Gopi (who was honoured by Padmasree by the country) on stage to act the scene, even a person who is not a lover of “Kathakali” would find tears in their eyes. We want a society with no such characters like “Karna,” who curses his life because of the insult he faced for not knowing the whereabouts of his

parents. We want the real brave "Karnas' who was the real hero and fighter in "Mahabharatha". Our Constitution and the constitutional Courts will protect all of them and the new age "Karnas" can live like any other citizen with dignity and pride.

21. In the light of the above discussions, the prayers in this writ petition are to be allowed. Therefore, this writ petition is allowed in the following manner:

1. There will be a direction to the 1<sup>st</sup> respondent to expunge and remove the name of the father from the Birth Register maintained at his office regarding the 1<sup>st</sup> petitioner and issue certificate showing the name of mother only as a single parent, if such a request is made by the petitioners. The 1<sup>st</sup> respondent will do the needful as directed above, as expeditiously as possible, at any rate, within two weeks from the date of receipt of such request and issue the necessary certificate to that effect during the above said period itself.
2. If the petitioners produce the corrected certificate

issued by the 1<sup>st</sup> respondent, respondents 2 to 8 will effect consequential expunge of the name of the father from their official records and databases.

3. The Registry will not mention the names of the petitioners in the cause title of the judgment while uploading to the official site of this court. The registry will give sufficient number of certified copies of the judgment along with the details of the petitioners in a separate sealed cover if a copy application is filed for that purpose by the petitioners for production before the respondents.

JV/das

Sd/-  
**P.V.KUNHIKRISHNAN**  
**JUDGE**

**APPENDIX OF WP(C) 4262/2022**

PETITIONER EXHIBITS

Expt.P1 TRUE COPY OF THE REQUEST TO SENT BY P1 TO ALL RESPONDENTS, EXPT.P1 ALONG WITH EXPTP1(1) TO EXPTP1(8) SUBMITTED IN SEALED-COVER-1-EF-HCK-2022-002187

Expt.P2 TRUE COPY OF THE REPLY RECEIVED FROM THE JOINT DIRECTOR, DIRECTORATE OF HIGHER SECONDARY EDUCATION(R3) ,EXPT.P2 SUBMITTED IN SEALED-COVER-1-EF-HCK-2022-002187

Expt.P3 TRUE COPY OF THE LETTER NO 1/12/20 14-VS(CRS) DATED 21-07-2015 ISSUED BY GOVERNMENT OF INDIA, MINISTRY OF HOME AFFAIRS

Respondents Exts: Nil

/True copy/

P.A.to Judge