

(2026) 03 GUJ CK 0601

In the Gujarat High Court

Case No : R/Special Civil Application No. 15205 Of 2025

Gauravkumar Amrutlal Gondaliya

APPELLANT

Vs

Surat Municipal Corporation & Anr

RESPONDENT

Date of Decision : 10-03-2026

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2026) 03 GUJ CK 0601

Hon'ble Judges : Hemant M. Prachchhak, J

Bench : Single Bench

Advocate : HJ Karathiya, Kaushal D Pandya

Final Decision : Disposed Of

Judgement

Hemant M. Prachchhak, J

1. RULE returnable forthwith. Mr.Kaushal Pandya, learned counsel waives services of notice of rule on behalf of the respondents.

2. With the consent of learned counsel appearing for the respective parties, the present petition is taken up for final hearing.

3. Present petition is filed by the petitioner under Article 226 of the Constitution of India and under the provisions of the Births and Deaths registrations Act, 1969 with the following reliefs:-

(A) YOUR LORDSHIPS may be pleased to issue a writ of mandamus or any other appropriate writ, order or directions quashing and setting aside the impugned decision dated 31.07.2025 issued by respondent No.2 and further be pleased to direct the respondent No.2 authority to issue fresh birth certificate to the son of the petitioner after making necessary correction in the 'Name' column as per the application dated 11.07.2025 submitted by the petitioner herein.

(B) During the pendency and final disposal of the present petition YOUR LORDSHIPS may be pleased to direct the respondent No.2 to issue fresh birth

certificate to the petitioner after making necessary correction in the 'Name' column as per the application dated 11.07.2025 submitted by the petitioner herein.

(C) Pass any such other and/or further orders that may be thought just and proper in the facts and circumstances of the present case.

4. Short facts of the present petition are that the son of the petitioner was born on 14.03.2022 at Surat, for which the birth certificate was issued by respondent No.2, however, in the said certificate, the name of son of the petitioner is mentioned as "Devin" instead of "Ram". That the petitioner had corrected the name in the Government Gazette, wherein the name of his son is changed from "Devin" to "Ram".

4.1 The petitioner had made an application for correction in the name of his son in the birth certificate on 11.07.2025, but the same came to be rejected by respondent - authority.

5. Being aggrieved and dissatisfied with the in action on the part of the respondent - authority, the present petition is filed.

6. Having heard learned counsel appearing for both the sides and considered the averments made in the petition and considered the decisions of this Court as mentioned in the petition, it appears that the son of the petitioner was born on 14.03.2022, for which the birth certificate was issued by respondent - authority, but the name of the son of the petitioner was wrongly mentioned as "Devin" instead of "Ram" and, thereafter, the petitioner made an application before the respondent - authority for correcting the name of his son in the birth certificate, however, the same came to be rejected and, therefore, this petition is filed. Considering the facts of the case and decisions of this Court, let the petitioner may prefer an application before the concerned authority within a period of four weeks.

7. In view of the aforesaid facts and circumstances of the case, the petitioner shall prefer an application before the respondent - authority within a week and the respondent - authority shall decide an application as early as possible preferably within a period of four weeks in accordance with law and after considering the decisions of this Court.

8. With the aforesaid direction, the present petition is disposed of accordingly. Rule is made absolute to the aforesaid extent. Direct service is permitted.