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IN THE HIGH COURT OF KARNATAKA AT BANGALORE
(ORIGINAL JURISDICTION)
W.P. No. ____ / 2017

BETWEEN

Ms. X
Aged 34 Years

Residing at: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

... PETITIONER

AND

1. The State of Karnataka
Department of Law,
Ground Floor, VidhanaSoudha,
Bangalore 560001
Through the Principal Secretary

2. The Health Officer/Registrar of Birth & Death Certificate
Mangaluru City Corporation,
M.G Road, Lalbaug
Mangaluru - 575003.

... RESPONDENT

MEMORANDUM OF WRIT PETITION UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA

The Petitioner submits as follows:

1. The present petition has been brought by the Petitioner who is a transgender personchallenging Section 15 of The Registration of Births and Deaths Act, 1969 and Rule 11 of the Karnataka Registration of Births and Deaths Rules, 1999, which provide that correction in a birth certificate can only be made in accordance with the rules framed by the State Government if it is proved to the satisfaction of the Registrar that the entry was made fraudulently or incorrectly, or

is erroneous in form or substance. It makes no provisions for an alteration on account of any voluntary act for change in name and gender by a transgender person. It is, therefore, contended that Section 15 of the Registration of Births & Deaths Act, 1969 violates the Right to Life and Gender Identity of the Petitioner guaranteed under articles 21 and 19 of the Constitution. The impugned Section and Rule should be read down so as to include the option of change of name and gender by a person voluntarily. The Petitioner is also approaching this Hon'ble Court against the inaction of the 2nd Respondent in not issuing to the Petitioner a new birth certificate reflective of her change of name and gender identity. This is incomplete violation of the fundamental rights to life, equality and gender identity of the Petitioner and her right to live a dignified life and to have her privacy protected under Articles 14, 15, 19(1)(a) and 21 of the Constitution respectively. Being thus aggrieved by the inactions of the Respondents No. 1 to 5, the Petitioner has filed this petition.

2. The name of the petitioner has been concealed in order to protect the privacy of the petitioner and the petitioner has filed the present petition under the alias of "Ms. X".

Brief Facts:

3. The Petitioner is a male-to-female transgender person. She was born male on [REDACTED] and named [REDACTED] at birth. (A Copy of the Petitioner's certificate of Birth bearing Registration No. [REDACTED] registered on [REDACTED] recording the date of Birth, gender and name assigned to the petitioner at birth is annexed hereto and marked as ANNEXURE-A)

4. The Petitioner is also a person belonging to the [REDACTED] which has been recognised as a Backward Class by the Government of India, Ministry of Welfare under Serial No. 155.

(A copy of the Petitioner's OBC Certificate dated [REDACTED] bearing No. [REDACTED] has been annexed hereto and is marked as ANNEXURE-B)

5. The Petitioner completed her schooling and passed her S.S.L.C. examination in [REDACTED] and was awarded a S.S.L.C. Certificate by the Karnataka Secondary Education Examination Board, on [REDACTED]. She then completed her Pre-University Education from [REDACTED] and was awarded a Pre-University Education Pass Certificate by the Department of Pre-University Education, Government of Karnataka on [REDACTED].

(A Copy of the Petitioner's S.S.L.C. certificate with register number [REDACTED] dated [REDACTED] is annexed herein and marked as ANNEXURE -C)

(A Copy of the Petitioner's Pre-University Education Pass Certificate with register number [REDACTED] dated [REDACTED] is annexed herein and marked as ANNEXURE -D)

6. It is submitted that in the Birth Certificate of the Petitioner issued by Respondent No. 2 the name of the petitioner has been recorded as [REDACTED] and the sex of the Petitioner has been recorded as male.

7. The Petitioner has self-identified as female since a young age. Being conflicted with her birth gender as male and her gender identity as female, she wished to undergo Sex-Reassignment Surgery. The Petitioner had subjected herself to psychological evaluation at the KMC Hospital on [REDACTED] and was found suffering from Gender Dysphoria. The concerned Consultant Psychologist had recorded that there was no psychiatric contradiction for sex re-assignment procedures in the case of the petitioner. The Petitioner had further undergone Psychiatric evaluation at the Victoria Hospital, Bangalore wherein she had stated that she felt like a girl in her body. The same observations of no psychiatric contradiction for sex re-assignment procedures in the case of the petitioner were made and the Petitioner was stated to be fit for Sex Re-assignment Surgery. Subsequently, on [REDACTED] at 25 years of age, she underwent Sex-Reassignment Surgery from male to female at the [REDACTED].

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She was admitted to the hospital on [REDACTED] and discharged on [REDACTED]. She successfully underwent Neovaginoplasty and urethroplasty after phallus reduction and orchidectomy. In addition, the Petitioner also underwent bilateral breast augmentation with implants and facial feminization procedure.

(A copy of the Certificate issued by the Consultant Psychiatrist, Dr. V.K. Bhat of the KMC Hospital dated [REDACTED] issued to the Petitioner is annexed hereto and marked as ANNEXURE -E)

(A copy of the Certificate issued by the Consultant Psychiatrist, of the Victoria Hospital dated [REDACTED] issued to the Petitioner is annexed hereto and marked as ANNEXURE -F)

(A Copy of the Petitioner's Discharge Summary from A.J. Hospital & Research Centre dated [REDACTED] is annexed herein and marked as ANNEXURE -G)

8. It is submitted that the Petitioner has changed her name from [REDACTED] to Ms. X. She had executed an Affidavit dated [REDACTED] on a Certified Certificate for a sum of Rs. 20 issued by the Corporation Bank on Behalf of the Government of Karnataka recording her change of name and gender. She had subsequently executed an Affidavit with Certificate No. [REDACTED] dated [REDACTED] stating that the Petitioner had undergone sex-re-assignment surgery and had relinquished her previous identity of [REDACTED] and adopted the identity of a female with her name as Ms. X. The Affidavit was notarized at Mangalore on [REDACTED]. The Petitioner subsequently issued a public notice regarding the change of name in two newspaper publications, one in English and the other in the local vernacular language, Kannada. The public notice was issued in English in the Hindu edition dated [REDACTED] and in Kannada in the Vijaya Karnataka edition also dated [REDACTED].
- (A copy of the Affidavit [REDACTED] dated [REDACTED] recording the name and gender change of the Petitioner is annexed hereto and marked as ANNEXURE -H)

(A copy of the Affidavit of the Petitioner dated [REDACTED] recording name and gender change is annexed hereto and marked as ANNEXURE-J)

(A Copy of the public notice issue in the Hindu dated [REDACTED] is annexed hereto and marked as ANNEXURE -K)

A copy of the public notice issued in the Vijaya Karnataka edition dated [REDACTED] is annexed hereto and marked as ANNEXURE -L)

9. Pursuant to the Petitioner having undergone sex re-assignment surgery and change in name and gender, she has been issued an Aadhaar Card, a passport, a Permanent Account Number (PAN), a passport and a Driving license bearing the current name and gender identity (female) of the Petitioner. It is therefore submitted that the identity of the Petitioner for all purposes is Ms. X who is a female in all government records barring the birth certificate of the Petitioner.

(A copy of the Petitioner's Aadhaar Card bearing No. [REDACTED] dated [REDACTED] is annexed herein and is marked as ANNEXURE - M)

(A copy of the Passport Number [REDACTED] issued to the Petitioner on [REDACTED] at Bengaluru is annexed hereto and marked as ANNEXURE-N)

(A copy of the PAN No. [REDACTED] issued to the petitioner is annexed hereto and marked as ANNEXURE-P)

(A copy of the Driving License bearing No. [REDACTED] issued to the Petitioner on [REDACTED] is annexed hereto and marked as ANNEXURE - Q)

10. It is submitted that the Petitioner's birth certificate still bears her old name and gender identity, [REDACTED] (male), and is hence inconsistent with her present name and gender identity, the Petitioner having transitioned to the female gender. However, the government identification documents of the Petitioner bear her true name and gender identity as adopted subsequent to her transition. This inconsistency in legal documentation prior to her sex-reassignment surgery, and her present legal identity, which is also reflected in government identification documents results in grave inconvenience and hardship to the Petitioner. It leads

to a dual life, one on documentation and one in reality, and this is and can be in the future a cause for harassment and discrimination against the Petitioner.

11. Pursuant to the Petitioner having undergone Sex Reassignment Surgery, the Petitioner, seeking to prevent such harassment, embarrassment or discrimination, sent a representation to the 2nd Respondent requesting that the name and sex of the Petitioner on her birth certificate be changed to reflect her current name and gender (female). However, 2nd Respondent has not responded nor has he taken any action pursuant to such representation for the change of the Petitioner's name and gender on the birth certificate.

(A copy of the Application sent by the Petitioner to the Respondent requesting change in name and gender on the birth Certificate is annexed hereto and marked as ANNEXURE – R)

(A copy of the acknowledgment receipt for the Application of the Petitioner dated 13.11.2017 is annexed hereto and marked as ANNEXURE – S)

12. It is submitted that the Registration of Births and Deaths Act 1969 ("Act") is also extremely restrictive to the kind of changes that can be made in one's birth certificate. Section 15 of the Act provides that the Registrar may only alter an entry of a birth in the register if the same is erroneous in form or substance or has been made fraudulently at the time of birth. The Section therefore precludes changes that have been undergone owing to sex change operations as falling within the purview of the Act.

(A copy of the Registration of Births and Deaths Act, 1969 is annexed hereto and marked as ANNEXURE – T)

13. Further, under Rule 11(4) of the Karnataka Registration of Births & Deaths Rules, 1999 formulated under the Act states that, "***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 nature of the***

error and true facts of the case made by two credible persons having knowledge of the facts of the case."

(A copy of the Karnataka Registration of Births and Deaths Rules, 1999 is annexed hereto and marked as ANNEXURE - V)

14. However, the Law Commission of Karnataka published its 24th report on 20.07.2013 wherein it has been recorded that that a citizen has the right to change the name registered in the birth register and be identified with reference to the name of one's own choice. Forcing an individual to be identified with the name assigned to them by others would be a curtailment of their Right to Life as guaranteed by Article 21 of the Constitution as the name is an expression of the identity of a person. The Law Commission of Karnataka in its 24th report had therefore in paragraph 25 recommended as under:

"As Section 15 provides only for correction or cancellation of the entry in the register of births and deaths and does not provide of effecting change of name, the Commission is of the opinion that in the interest of the general public desiring to change their name the Act should be suitable amended empowering the State of Karnataka to prescribe a proper procedure for effecting change of name entered in the register of births and deaths maintained under the Act."

This recommendation could be read so as to include the change in one's gender identity as well.

(A copy of the 24th Report of the Law Commission of Karnataka dated 20.07.2013 has been annexed hereto and marked as ANNEXURE-W)

15. It is submitted that the Petitioner wishes to enter into a marriage with a Dutch national in the Netherlands and in order for her to be able to enter into a legally valid marriage requires a copy of her Birth certificate recording her current name and gender. The Petitioner would be severely disadvantaged and suffer great personal loss and hardship and would be unable to marry the person of her

choice if the change in name and gender identity are not carried out on her Birth Certificate.

16. Being aggrieved by the inaction of the 2nd Respondent in not issuing a new birth certificate to the Petitioner reflective of her name change and gender identity despite her representation, and in having no other alternative and equally efficacious remedy, the Petitioner has filed the present writ petition before this Hon'ble Court. The Petitioner has not filed any other Petition either before this Hon'ble Court or any other Court in respect of this course of action. The Petition is filed on the following, among other grounds:

GROUND:

17. THAT the Petitioner has the right to a change of her name and gender identity and the inaction on the part of the Respondents in carrying out such change and the text of Section 15 of the Act and Rule 12 (4) of the Rules in limiting such change only to errors or fraud is unconstitutional as it violates the Petitioner's right to life and liberty guaranteed under Article 21 of the constitution.

18. THAT a Division Bench of the Hon'ble High Court of Gujarat in *Mulla Faizal @ Fazlabanu Suleman Ibrahim Vs. State of Gujarat & Ors.* 2000 SCC Online Guj 31, allowed the appeal filed by the appellant who was claiming change of entry in the Register of Births regarding his sex on the basis that he was born as a natural male child, but his identity had been confused owing to the fact that his penis was concealed at the time of birth. The Hon'ble High Court held that Section 15 of the Act provides that a change can be made if it is proved to the satisfaction of the Registrar that any register kept by him under this Act is erroneous in form or substance... and in giving such an expansive interpretation directed the authorities to conduct an enquiry and change the name and sex of the Petitioner.

19. THAT the Hon'ble Supreme Court in **National Legal Services Authority v. Union of India**(2014) 5 SCC 438 (hereinafter referred as "**NALSA**") recognized the right of persons to self-identify their gender as man, woman, transgender or other identified categories. Noting gender identity to be one's deeply felt internal and individual experience of gender, the Hon'ble Court recognized that this includes "*the personal sense of the body which may involve a freely chosen, modification of bodily appearance or functions by medical, surgical or other means and other expressions of gender, including dress, speech and mannerisms.*"Therefore, a change in the name and gender as assigned at birth and recorded on the birth certificate is essential to transgender persons leading a dignified life, for to deprive them of the option to get their Birth Certificate altered to reflect their true name and gender does not only impose an arbitrary condition contrary to the decision in **NALSA** (supra), but also subjects them to a life without their true identity and is thus violative of Articles 14, 19 and 21 of the Constitution.

20. THAT the Hon'ble Supreme Court in **NALSA** recognized the discrimination faced by transgender persons and ruled that discrimination on the ground of gender identity violates Article 14 of the Constitution by impairing equality before law and the equal protection of the law. The Hon'ble Supreme Court noted that, "*(d)iscrimination is so large and pronounced, especially in the field of health care, employment, education, leave aside social exclusion*" and also that "*non-recognition of identity of Hijras/transgender persons results in them facing extreme discrimination in all spheres of society, especially in the field of employment, education, healthcare etc.*" It is submitted that the act of the Respondent in not issuing new birth certificate to the petitioner which reflects her change of name and gender results in grave inconvenience to the Petitioner who has undergone sex-reassignment surgery and has changed her name and gender identity from that assigned at birth. The ruling of the Hon'ble Supreme Court seeks to prevent discrimination on grounds of genderidentity, which puts persons through "*immense stress, trauma, humiliation and embarrassment*".

21. **THAT** the Hon'ble Supreme Court in **MALSA** also observed that any discrimination on the ground of 'sex' under Article 15 and 16 includes discrimination on the ground of gender identity. The Court observes that both biological characteristics such as genitals, chromosomes and secondary sexual features, as well as gender attributes such as one's self-image and the deep psychological and emotional sense of sexual identity and character, constitute distinct components of sex. It is submitted that section 15 of the Act which limits alterations in the Birth Certificate only to instances of error or fraud and the inaction of the 2nd Respondent in issuing a new birth certificate reflecting the current sex and name of the Petitioner amounts to discrimination against the Petitioner on the basis of sex and is therefore violative of Article 15 and 16.

22. **THAT** the Hon'ble Supreme Court in **MALSA** ruled that the "*values of privacy, self-identity, autonomy and personal integrity are fundamental rights guaranteed to members of the transgender community under Article 19(1)(a) of the Constitution of India and the State is bound to protect and recognize those rights.*" It is submitted that the decision to undergo sex-reassignment surgery is one of the Petitioner's free will and that which must be respected and protected by the Respondents. In ignoring the request of the Petitioner's to change her name and gender on her birth certificate, the Respondents are not recognizing the Petitioner's right to self-identify as a female with a new name.

23. **THAT** the Hon'ble Supreme Court in **MALSA** ruled that gender being a core and integral part of a person's identity, the "*non-recognition of gender identity is, therefore, part of right of dignity and freedom guaranteed under our constitution.*" Thus, the Hon'ble Supreme Court has ruled that recognition of gender identity is at the heart of Article 21 and the fundamental right to life with dignity. It is submitted that the act of the 2nd Respondent results in violation of this fundamental right to life with dignity of the Petitioner by forcing her to live dual lives, one on paper with her old identity as male with the name of Bharath Raj and the other, the present life and gender identity as female with the name Ms.

X. The incongruence between the name and gender identity on the birth certificate of the petitioner and the identification documents issued to the petitioner by the Government of India, including the Aadhaar Card, Passport, PAN card and Driving License, wherein her new name and gender identity has been recorded, leads to the Petitioner facing several questions, harassment, embarrassment and discrimination. It is thus a violation of her right to life with dignity and personal liberty and is thus violative of her rights under Article 21 of the Constitution.

24. THAT the Hon'ble Supreme Court of India in **Justice K. Puttaswamy (Retd.) & Anr. v. Union of India & Ors.** 2017 SCC Online SC 996 has recognized the right to privacy as one of the facets of the right to life and dignity. The right to identity, personal autonomy and the right to be left alone, all form a part of this right to privacy that is infringed by implementation of the Act. In the **MALSA Judgment**, the Supreme Court of India held that Article 21 of the Constitution protects one's right to privacy. This has been recognized by the 9 judge Supreme Court bench in **Justice K. Puttaswamy (Retd.)** (supra) wherein the Hon'ble Supreme Court has held that the **MALSA Judgment** indicated the rational for grounding the right to privacy in protection of gender identity in Article 15, and that the intersection between Article 15 and 21 "*locates a constitutional right to privacy as an expression of individual autonomy, dignity and identity.*" It is submitted that the restrictive language of Section 15 of the Act and the inaction on the part of the 2bd Respondent in not issuing a new birth certificate to the Petitioner results in the subsequent invasion of privacy of the Petitioner who is forced to disclose her past identity of being male and having a different name and not living as per her true identity. This is a direct violation of her fundamental right to privacy under Article 21 of the Constitution.

25. THAT the act of the 2nd Respondent in not acting upon the Petitioner's request results in violation of her right to self-identify her gender identity. The Hon'ble Supreme Court in **MALSA** concluded that discrimination on the basis of sexual orientation or gender identity would include any discrimination, exclusion,

restriction or preference, which has the effect of nullifying or transposing equality by the law or the equal protection of laws guaranteed under the Constitution. It is submitted that the act of the Respondents in not responding to the request for issue of a new birth certificate by the Petitioner is in direct violation of the operative directions of the Hon'ble Supreme Court in **MALSA**. The Hon'ble Supreme Court directed that "*(t)ransgender persons' right to decide their self-identified gender is also upheld and the Centre and State Governments are directed to grant legal recognition of their gender identity such as male, female or as third gender.*" The act of the Respondents in refusing the grant legal recognition of the Petitioner's gender identity is in direct violation of the Supreme Court's ruling.

26. **THAT** the Madurai Bench of the Hon'ble Madras High Court in a decision dated 28.08.2014 in **S.Swapna (Transgender) vs the State of Tamil Nadu** W.P.(MD)No.10882 of 2014, dealing with the question of name and gender change in educational certificates has ruled that in cases where transgender persons undergo sex reassignment surgery and make applications for change of name and sex in relevant records, especially on the basis of documents such as the certificate issued by a medical officer, there the concerned departmental authorities must make the changes in the records. The Hon'ble Court directed the respondents to make the appropriate changes in all the relevant records, and stated:

"The regulations were all made long back without seeing the future developments. When a transgender undergoes a sex reassignment surgery and makes an application thereafter for change of name and sex in the relevant records on the basis of various documents including the certificate issued by the Medical Officer, the concerned authorities are expected to verify the records and make consequential changes in the concerned records. The petitioner cannot be dragged from pillar to post on the ground that there are no rules permitting such changes in educational records. The petitioner has produced sufficient documents to prove her

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identity. The application should have been considered on merits by the third respondent. The authorities in a case of this nature must extend their helping hand to a transgender rather than denying the relief on technical reasons. I am therefore of the view that the third respondent erred in rejecting the request by the petitioner."

If this is the ruling of the Hon'ble Madras High Court, then the same guidelines can be applied for the reading down of Section 15 of the Act so that it may be read to include all alterations to one's birth certificate to reflect the voluntary change of name and gender identity.

27. THAT in *K.PrithikaYashini vs The State of Tamil Nadu and Ors.* 2015 SCC

Online Mad 7054 the Hon'ble Madras High Court dealt with a similar case of a transgender person seeking change of name in all certificates and records after sex-reassignment surgery (male-to-female). The Hon'ble High Court relied on the judgment laid down in **S. Swapna**(supra) and stated that the petitioner was entitled to have her name changed on educational certificates on account of the sex re-assignment surgery which has been recognized and certified. The Hon'ble Court observed that while in **S. Swapna**'s(supra) case the applications for change of name were rejected, in this case it was pending with no acknowledgement by the respondents, and still ruled that the appropriate changes must be made. It is submitted that the 2nd Respondent has not acknowledged or responded to the representation made by the Petitioner.

28. THAT in the case of *K.GowthamSubramaniam vs The Controller of*

Examination W.P. No. 7536 of 2017, the Hon'ble Madras High Court reiterated the above rulings. In this case, the Petitioner was a female-to-male transgender person, who upon requesting his educational institutions for change of name after his sex re-assignment surgery was asked by the respondent institution to get a certificate from a District Magistrate as mandated under the Transgender (Protection of Rights Bill, 2016). The Hon'ble High Court noted that the Bill was not in operation, and that where the petitioner had submitted sufficient documents such as the medical certificates and the government identity card,

Aadhaar, in the present name, there was no impediment on the educational institutions making necessary changes in the certificates based on the Petitioner's representation.

29. **THAT** an expansive reading needs to be given to Section 15 of the Act to include changes to be made to one's Birth Certificate for the inclusion of one's new name and gender which was even recommended by the Law Commission of Karnataka in its 24th Report dated 20.07.2013 in order to enable a person desirous of name change to be able to do so and had recorded as under:

“Article 21 guarantees the right to a decent living, right to one's identity being the basic necessity in a civilized society. Therefore, it is obvious that every citizen has a right to be identified with reference to a name of one's own choice. It being a very well recognized right of a citizen it cannot be curtailed by insisting that he should be known by the name given to him by others when he was a minor and therefore, it is obviously without his consent. He having the right to be known by the name of his choice cannot be made to suffer with the name given to him by others without his consent. Denial Deprivation of such valuable right to one's own name is not just, fair or reasonable.”

30. **THAT** international jurisprudence on the question of change of name and gender on birth certificates has evolved in favour of transgender persons to ensure that they are provided the option to get all legal documentation altered to reflect their true name and gender. The law in each state in the United States of America recognizes the significance of a name and gender change on a legal document as crucial as a birth certificate and permits transgender persons to change their name and gender after tendering a request for the same and providing additional documents in support of such request as per the law in the respective States. *In Re Petition for Change of Birth Certificate*, 22 N.E. 3d 707 (Ind. Ct. App. 2014) the Court of Appeals in Indiana in December 2014 allowed for a

change in name and gender in the birth certificate of a transgender person and clarifying the process for the same recorded as under:

“Though never addressed by this court, the amendment of a birth certificate with respect to gender is not novel. The vast majority of states, including Indiana, have allowed it in practice for some time. See In re Hellig, 816 A.2d 68 (Md. 2003) (recognizing that, at the time, twenty-two states had enacted statutes expressly enabling such amendments and twenty states had statutes dealing generally with amendments to birth certificates; only Tennessee statutorily forbade an amendment as to gender). See also Dean Spade, Documenting Gender, 59 Hastings L.J. 731, 768 (2008) (forty-seven states allow gender reclassification on birth certificates (Idaho, Ohio, and Tennessee do not) twenty-eight of these states “specifically authorize gender reclassification by statute or administrative ruling, while the other nineteen have no written rule stating that they allow sex designation change, but in practice do provide sex designation change upon application”)

31. THAT The United Kingdom's Gender Recognition Act, 2004 enables a Transgender Person who has been living in their preferred gender identity for two years or more to obtain a Gender Recognition Certificate (GRC) on the basis of which a legal change in gender may be granted and a new birth certificate shall be issued to the person recording their new name and gender.

32. Thus, it is submitted that by not permitting the change of name and gender to be carried out in her birth certificate, the Petitioner is being deprived of her right to life with dignity and gender identity as guaranteed under Articles 19 and 21 of the Constitution and further recognised by the Hon'ble Supreme Court in **MALSA** (supra). Further, the Respondents are obligated to not violate any of the Constitutional or Fundamental rights of the Petitioner and must follow the directions of the Hon'ble Supreme Court and the Hon'ble High Courts of the country.

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PRAYER

WHEREFORE, in light of the above facts and circumstances, and owing to the urgency of the case of the Petitioner, the Petitioner most respectfully prays that this Hon'ble Court be pleased to:

- A. Declare that Section 15 of the Registration of Births & Deaths Act, 1969 and Rule 11 (4) of the Karnataka Registration of Births and Deaths Rules, 1999 be read down so as to include all voluntary changes to name and gender identity in one's birth certificate;
- B. Issue a writ in the nature of mandamus directing the Respondent No.2 to issue to the Petitioner a new Birth certificate reflecting her current name and gender identity; and
- C. Grant any other relief, which the Hon'ble Court deems fit in the circumstances of the case in the interests of justice and equity.

Place: Bangalore Counsel for the Petitioner

Date: JAYNA KOTHARI

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