1972 *Present :* **Pathirana, J., and Rajaratnam, J.**

S. M. U. RUWANPURA, Appellant, *and* THE REGISTRAR-GENERAL and 3 others, Respondents

S. C. 2/72—D. C. Ratnapura, 3603/Special

Births and Deaths Registration Act (Cap. 110)—Section 28 (1) (a)—Alteration of "ge" name thereunder—Permissibility.

Section 28 (1) (*a*) of the Births and Deaths Registration Act permits the alteration of a person's name so as to include also the alteration of the "ge" name. The "ge" name is also a name like any other name.

APPEAL from a judgment of the District Court, Ratnapura.

F. N. D. Jayasuriya, with *A. J. I. Tillakawardene*, for the petitioner-appellant.

N. Sinnetamby, State Counsel, for the Attorney-General.

December 15, 1972. PATHIRANA, J.—

The Petitioner-Appellant, who is over 21 years of age, made an application to the District Court of Ratnapura under Section 28 (1) of the Births and Deaths Registration Act (Chapter 110) to alter his name in cage 2 of his Birth Certificate. At the time of the registration of his birth his name has been entered in cage 2 as " KIRIMENIKE ". His application is to alter the name to " SENARATH MINUWANGODAGE UPENDRA RUWANPURA ". The first Respondent, the Registrar-General, had no objection to this alteration.

According to the evidence given by the Petitioner at the inquiry before the District Judge, he has stated that he had always been known as " SENARATH MINUWANGODAGE UPENDRA RUWANPURA ". His Post Office Savings Bank Book, Identity Card and the Certificate of Competence give his name as " SENARATH MINUWANGODAGE UPENDRA RUWANPURA ". The learned District Judge held that under Section 28 (1) the Petitioner was only entitled to change his name " KIRIMENIKE ". He allowed the application to alter the name " KIRIMENIKE " to " UPENDRA RUWANPURA ", but refused the application to alter the name to " SENARATH MINUWANGODAGE UPENDRA RUWANPURA ". His reasons are that according to his parents' Marriage Certificate his father's " ge " name is " SUBAYA MANAHLAGE UKKUHATANAGE " and his mother's " ge " name is " UNAWATTAGE " and therefore he held that Section 28 (1) (*a*) cannot be used to alter his " ge " name under the pretext of altering his name.

We sought the views of the Attorney-General in this matter and we are much indebted to learned State Counsel, Mr. Sinnethamby, for the assistance he gave this Court.

Both Counsel for the Appellant and State Counsel agreed that under Section 28 (1) (*a*) the alteration of a name can include also the alteration of the " ge " name. The " ge " name in their view was also a name as any other name. We are in agreement with this view.

We, therefore, hold that the learned District Judge was wrong in refusing to alter and insert the " ge " name " SENARATH MINUWANGODAGE ". We are, therefore, directing the learned District Judge to insert the names " SENARATH MINUWANGODAGE UPENDRA RUWANPURA " in cage 2 of the Birth Certificate P1.

RAJARATNAM, J.— I agree.

Appeal allowed.