

GAHC010078472024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/2127/2024

SWAPNIL DEB @ DIMPI DEB
S/O- SABINOY DEB,
R/O. SRIGOURI, P.O.- SRIGOURI,
DISTRICT- KARIMGANJ, ASSAM,
PIN- 788806.

VERSUS

THE STATE OF ASSAM AND 5 ORS.
THROUGH-
THE SECRETARY,
TO THE GOVERNMENT OF ASSAM,
DEPARTMENT OF SCHOOL EDUCATION,
DISPUR, GUWAHATI- 781006.

2:THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM
KAHILIPARA
GUWAHATI- 781019.

3:THE DISTRICT ELEMENTARY EDUCATION OFFICER
KARIMGANJ
P.O. AND DISTRICT- KARIMGANJ

ASSAM
PIN- 788710.

4:THE DEPUTY INSPECTOR OF SCHOOLS
KARIMGANJ
P.O. AND P.S.- KARIMGANJ

DISTRICT- KARIMGANJ

ASSAM., PIN- 788710.

5:THE BLOCK ELEMENTARY EDUCATION OFFICER
BADARPUR
P.O.- BADARPUR
DISTRICT- KARIMGANJ
ASSAM, PIN- 788806.

6:THE HEADMASTER
22 NO. SARADA CHOUDHURY L.P. SCHOOL
VILLAGE AND P.O.- SRIGOURI

DISTRICT- KARIMGANJ
ASSAM. PIN CODE- 788806

Advocate for the Petitioner : MR. RAJARSHEE DE

Advocate for the Respondent : SC, ELEM. EDU

BEFORE
HONOURABLE MR. JUSTICE LANUSUNGKUM JAMIR

ORDER

Date : 06.05.2024

Heard Mr. R. Dey, learned counsel for petitioner.

Also heard Ms. S. Chutia, learned Standing counsel, School Education Department, for the respondent Nos. 1 to 5.

The petitioner is presently serving as Assistant Teacher at 22 No. Sarada Choudhury L.P. School. The brief fact of the case of the petitioner is that on his birth, his parents named him as "Dimpi Deb" and in his birth certificate also, his name was reflected as "Dimpi Deb". The name of the petitioner was recorded in all the official documents earlier as "Dimpi Deb". As the petitioner belongs to male gender and due to embracement faced by him, he decided to change his name as "Swapnil Deb" in all the official documents. Accordingly, the petitioner

has sworn on affidavit and also made a paper publication in connection with his change of name to Swapnil Deb. The change of the name of the petitioner was also published in the Gazette of India in its issue dated January, 8 - January, 14, 2022. Thereafter, the petitioner made a representation on 05.12.2022 requesting to change his name from "Dimpi Deb to Swapnil Deb" in all documents relating to his employment as Assistant Teacher under the Department of Elementary Education. Despite changing his name as "Swapnil Deb" in the official documents, the Elementary Education Department is yet to change his name from "Dimpi Deb to Swapnil Deb" till date. The petitioner, therefore, made a representation before the Director of Elementary Education Department, Assam on 17.02.2024 with regard to change his name from "Dimpi Deb to Swapnil Deb" in all the relevant documents under the Department of Elementary Education Department, Assam. The said representation is yet to be considered by the Director of Elementary Education Department, Assam / Respondent No. 2.

Accordingly, this writ petition is disposed of directing the Director of Elementary Education Department, Assam / Respondent No. 2 to consider the representation made by the petitioner on 17.02.2024 and thereafter, dispose of the same by a speaking order within one month from the date of receipt of this order.

With the above observations and directions, this writ petition is disposed of.

JUDGE

Comparing Assistant