

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 13TH DAY OF FEBRUARY 2015/24TH MAGHA, 1936

WP(C).No. 249 of 2015 (E)

PETITIONER :

**ANSA RAJ R.,
D/O.RETHINARAJ, AGED 24
AMALOLBHAVA MANDIRAM, VAZHAYILA
KUDAPPANAKKUNNU P.O.,
THIRUVANANTHAPURAM.**

BY ADV. SRI.P.NARAYANAN

RESPONDENTS :

**1. THE PRINCIPAL,
MARY GIRI ENGLISH MEDIUM HIGH SCHOOL
KUDAPPANAKKUNNU, THIRUVANANTHAPURAM - 695 043.**

**2. CENTRAL BOARD OF SECONDARY EDUCATION,
PLOT NO.3, J BLOCK, 16TH MAIN ROAD
ANA NAGAR (WEST), CHENNAI - 600 040.**

R2 BY ADV. SRI.DEVAN RAMACHANDRAN, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

...2/-

WP(C).No. 249 of 2015 (E)

APPENDIX

PETITIONERS' EXHIBITS :

- EXHIBIT P1. TRUE COPY OF THE PASS CERTIFICATE OF THE PETITIONER ISSUED BY THE SECOND RESPONDENT.**
- EXHIBIT P1(a). TRUE COPY OF THE MARKED LIST OF THE PETITIONER ISSUED BY THE SECOND RESPONDENT.**
- EXHIBIT P2. TRUE COPY OF THE BIRTH CERTIFICATE ISSUED BY THE REGISTRAR OF BIRTH & DEATH DATED 23.09.2014.**
- EXHIBIT P3. TRUE COPY OF THE RATION CARD OF THE PETITIONER'S FAMILY.**
- EXHIBIT P4. COPY OF THE APPLICATION DATED 17.11.2014 WITH ENDORSEMENT OF THE FIRST RESPONDENT.**
- EXHIBIT P5. TRUE COPY OF THE JUDGMENT DATED 18.08.2011 IN W.P.NO.22423/2011 OF THIS HON'BLE COURT.**
- EXHIBIT P6. COPY OF THE JUDGMENT DATED 25.07.2014 IN W.P.(C) NO.19278/2014.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

P.R. RAMACHANDRA MENON, J.

W.P(C). No. 249 of 2015

Dated this the 13th day of February, 2015

J U D G M E N T

Petitioner is stated as aggrieved of the inadvertent mistake which has crept in relevant school/certificates showing the 'date of birth' of the petitioner as 13.4.1990 in place of '13.11.1989'.

2. The case of the petitioner is that, the petitioner submitted an application before the 1st respondent seeking correction of the 'date of birth' in the school records, but the same was returned to the petitioner with an endorsement that "the CBSE is the authority who can make any correction in the Xth certificate". The callous inaction of the respondent made the petitioner to approach this Court seeking for appropriate reliefs.

3. The learned standing counsel for the 2nd respondent submits that, by virtue of the Bye-laws of the C.B.S.E, the petitioner has to approach the school authorities and get her school records corrected, showing the actual 'date of birth' as '13.11.1989'. Thereafter, the application has to be got forwarded along with the corrected 'date of birth' as certified by the school authorities to the 2nd respondent, on which event, the same will be considered and appropriate steps will be

pursued to redress the grievance of the petitioner.

4. In the above circumstances, the petitioner is left to approach the 1st respondent and get her school records corrected based on the relevant materials; simultaneously causing the same to be forwarded to the 2nd respondent as prescribed for taking further steps. On receipt of such proceedings, the matter shall be considered and final orders shall be passed by the 2nd respondent in accordance with law, particularly, in view of the decision rendered by the Division Bench of this Court in W.A. No.1948/2008 holding that the bar of 'two years' (which is now stated as enhanced to 'five' years) will not stand in the way of causing the 'date of birth' to be corrected in genuine cases. Final orders as above, shall be passed by the 2nd respondent as expeditiously as possible, after conducting verification by the local authorities, at any rate, within 'three months' from the date of receipt of a copy of the proceedings as aforesaid.

The petitioner shall produce a copy of judgment along with a copy of this writ petition before the concerned respondent for further steps. The writ petition is disposed of as above.

Sd/-

P.R. RAMACHANDRA MENON, JUDGE