

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 24TH DAY OF FEBRUARY 2015/5TH PHALGUNA, 1936

WP(C).No. 945 of 2015 (P)

PETITIONER :

**SWETHA S., AGED 23 YEARS
D/O.P.SREEKUMAR, EDAVARAMBIL,
AADINADU, VADAKKU P.O.
KARUNAGAPPALLY,
KOLLAM DISTRICT.**

**BY ADVS.SRI.C.RAJENDRAN
SMT.R.S.SREEVIDYA**

RESPONDENT(S) :

- 1. THE CONTROLLER OF EXAMINATION
THE CENTRAL BOARD OF SECONDARY EDUCATION
SHIKSHA KENDRA, 2, COMMUNITY CENTRE, PREET VIHAR
NEW DELHI - 110 301.**
- 2. THE REGIONAL OFFICE
CENTRAL BOARD OF SECONDARY EDUCATION
1630 J, BLOCK 16TH MAIN ROAD, ANNA NAGAR WEST
CHENNAI 600 040
REPRESENTED BY ITS REGIONAL MANAGER.**
- 3. THE PRINCIPAL
NAVODAYA VIDYALAYA, KOTTARAKKARA
KOLLAM DISTRICT - 691 506.**

R1 & R2 BY ADV. SRI.DEVAN RAMACHANDRAN, SC

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 24-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

Mn

WP(C).No. 945 of 2015 (P)

APPENDIX

PETITIONERS' EXHIBITS :

**EXT.P1: A TRUE PHOTOCOPY OF THE SECONDARY SCHOOL EXAMINATION
CERTIFICATE ISSUED BY 1ST RESPONDENT.**

**EXT.P2: A TRUE PHOTOCOPY OF THE BIRTH CERTIFICATE ISSUED FROM THE
DEPARTMENT OF PANCHAYATS/URBAN AFFAIRS, KARUNAGAPPALLY
GRAMA PANCHAYATH.**

RESPONDENT(S)' EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.945 of 2015

Dated this the 24th day of February, 2015

JUDGMENT

Petitioner is stated as aggrieved of the inadvertent mistake which has crept in the relevant school/certificates showing the date of birth of the petitioner as '**13.05.1992**' in place of '**14.08.1991**'.

2. The case of the petitioner is that, she had preferred an application before the 3rd respondent, to have the above mistake corrected. Ext.P2 is the birth certificate showing the actual date of birth as '**14.08.1991**'. The learned counsel for the petitioner points out that, the petitioner had passed her Secondary School Examination from the 3rd respondent school as evident from Ext.P1 Certificate. Inaction on the part of the respondents made the petitioner to approach this Court seeking for appropriate reliefs.

3. The learned standing counsel for the respondents 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 '**14.08.1991**'. 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 after verification with the Authority who has issued Ext.P1.

4. In the above circumstances, the petitioner is left to approach the 3rd respondent School and get her school records corrected based on the relevant materials; in turn, causing the same to be forwarded to the 2nd respondent as mentioned above 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, in the light 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 after conducting verification with the concerned Authority, if necessary, as expeditiously as possible, at any rate, within 'two 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 the writ petition, before the concerned respondents, for further steps.

The writ petition is disposed of as above.

**P.R. RAMACHANDRA MENON,
JUDGE**

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