

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

WEDNESDAY, THE 25TH DAY OF FEBRUARY 2015/6TH PHALGUNA, 1936

WP(C).No. 1898 of 2015 (J)

PETITIONER :

**ABOO SAYEED.M, AGED 23 YEARS,
S/O.ABDUL SATHAR.M, MUTHUVATTUSHERRY HOUSE,
P.O.ELETTIL, VIA. KODUVALLY,
KOZHIKODE DISTRICT - 673 572**

BY ADV. SRI.P.V.KUNHIKRISHNAN

RESPONDENT(S):

- 1. CENTRAL BOARD OF SECONDARY EDUCATION,
(REGIONAL OFFICE),
REPRESENTED BY ITS REGIONAL OFFICER,
NO.3, (OLD NO.1630-A), 'J' BLOCK, 16TH MAIN ROAD,
ANNA NAGAR (WEST), CHENNAI - 600 040.**
- 2. PRINCIPAL,
VADI HUSNA PUBLIC SCHOOL, ELETTIL P.O.,
KOZHIKODE DISTRICT, KERALA - 673 572.**

**R1 BY SRI.DEVAN RAMACHANDRAN, SC, CBSE
R2 BY ADVS. SRI.SHYAM PADMAN
SRI.A.RANJITH NARAYANAN
SRI.S.K.SAJU
SRI.JOHN THITHEEMOS**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 25-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

sts

WP(C).No. 1898 of 2015 (J)

APPENDIX

PETITIONER(S)' EXHIBITS

- P1- TRUE COPY OF THE SECONDARY SCHOOL LEAVING CERTIFICATE OF THE PETITIONER DATED 27.5.2008**
- P2- TRUE COPY OF THE TRANSFER CERTIFICATE DATED 24.6.2011 OF THE PETITIONER ISSUED BY THE 2ND RESPONDENT.**
- P3- TRUE COPY OF THE BIRTH CERTIFICATE ISSUED BY THE REGISTRAR OF BIRTHS AND DEATHS, KOZHIKODE CORPORATION, DATED 17.10.2014**
- P4- TRUE COPY OF THE ORDER DATED 8.12.2014 OF THE 1ST RESPONDENT**

RESPONDENT(S)' EXHIBITS: **NIL**

/TRUE COPY/

P.A.TO.JUDGE

sts

P.R. RAMACHANDRA MENON, J.

W.P(C). No. 1898 of 2015

Dated this the 25th 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 10.01.1992 in place of '06.01.1992'.

2. The case of the petitioner is that, the petitioner submitted an application before the 2nd respondent seeking correction of the 'date of birth' in the school records, but the 2nd respondent has not considered the application and forwarded the same to the 1st respondent, who simply rejected the same. This made the petitioner to approach this Court seeking for appropriate reliefs.

3. The learned standing counsel for the 1st 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 '06.01.1992'. Thereafter, the application has to be forwarded along with the corrected 'Date of Birth' as certified by the school authorities to the 1st respondent, on which event, the same will be considered and appropriate steps will be pursued to redress the grievance of the petitioner, in terms of the Bye laws.

4. In the above circumstances, the petitioner is left to approach the 2nd respondent and get her school records corrected based on the relevant materials; simultaneously causing the same to be forwarded to the 1st 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 1st 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 1st 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