

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 12TH DAY OF MAY 2015/22ND VAISAKHA, 1937

WP(C) .No. 2205 of 2015 (A)

PETITIONER(S) :-

NIKHIL NADH M J. ,
ANANDA BHAVANAM, CHAVARA P.O. , MEKKAD
KOLLAM.

BY ADV. SRI.M.R.SASITH

RESPONDENT(S) :-

1. CENTRAL BOARD OF SECONDARY EDUCATION
REPRESENTED BY ITS SECRETARY, REGIONAL OFFICE, 1630A
J BLOCK, ANNA NAGAR WEST, CHENNAI, PIN-600040.
2. THE CONTROLLER OF EXAMINATION
CENTRAL BOARD OF SECONDARY EDUCATION, NEW NO.3
J BLOCK, ANNA NAGAR WEST, CHENNANI, PIN-600040.
3. THE PRINCIPAL
SREE NARAYANA CENTRAL SCHOOL, ALUMKADAVU P.O.
KARUNAGAPPALLY, KOLLAM DISTRICT-690 001.
4. THE KOLLAM CORPORATION
REPRESENTED BY ITS SECRETARY
(REGISTRAR OF BIRTHS AND DEATH) , KOLLAM - 690 001.

R4 BY ADV. SRI.M.K.CHANDRA MOHAN DAS, SC, KOLLAM MPT
R1 & R2 BY SRI.DEVAN RAMACHANDRAN, SC, CBSE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

jvt

WP(C) .No. 2205 of 2015 (A)

APPENDIX

PETITIONER(S) ' EXHIBITS :-

EXT.P1. TRUE COPY OF THE BIRTH CERTIFICATE OF THE PETITIONER
ISSUED BY THE 4TH RESPONDENT.

EXT.P2. TRUE COPY OF THE CERTIFICATE ISSUED BY THE 2ND
RESPONDENT.

EXT.P3. TRUE COPY OF THE REJECTION ORDER PASSED BY THE 1ST
RESPONDENT.

EXT.P4. TRUE COPY OF THE JUDGMENT IN WPC NO.1471/2013.

RESPONDENT(S) ' EXHIBITS :- NIL

//TRUE COPY//

P.A. TO JUDGE

A. MUHAMED MUSTAQUE, J.

W.P.(C) No.2205 of 2015

Dated this the 12th day of May 2015

J U D G M E N T

The petitioner has approached this Court seeking a direction to the third respondent to correct his date of birth in the school records and forward the same to the first and second respondents for effecting simultaneous correction in Ext.P2 and other credentials issued by the Central Board of Secondary Education

2. The matter is covered by the judgment of this Court in **Sreeraj Nath v. Central Board of Secondary Education, Chennai** [2013 KHC 2724] wherein this Court held that it is for the school authorities to make initial correction and thereafter forward the same to the CBSE for making corrections in the certificate and further that bar of five years will not stand in the way of causing date of birth corrected in genuine cases.

Under these circumstances, this writ petition is disposed of as under:

Ext.P3 is set aside. The petitioner shall submit a fresh application to the third respondent, who shall make necessary enquiry in the matter and if the genuineness of the claim is found

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to be correct, necessary correction shall be made in the school records and the same shall be forwarded to the first and second respondents, who shall make necessary correction in the certificate issued by CBSE. This shall be done within a period of three months. It is open to the petitioner to produce authenticated copies of the birth certificate before respondents 1 and 2. No costs.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE

Jvt