

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. 3620 of 2015 (B)

PETITIONER :

**RADHIKA RAVI, AGED 24 YEARS,
D/O.REVEENDRAN PILLAI, MAROOR REMYA SREE,
CHUNAKKARA NORTH, CHUNAKKARA P.O., ALAPPUZHA DISTRICT.**

**BY ADVS.SRI.K.SASIKUMAR
SRI.S.ARAVIND
SRI.R.ROHITH
SRI.K.JANARDHANA SHENOY
SRI.MATHEW JOHN PUTHUPARAMPIL**

RESPONDENTS :

- 1. THE REGIONAL OFFICER, CENTRAL BOARD OF SECONDARY EDUCATION
PLOT NO.1630 A-J-BLOCK, ANNA NAGAR WEST, CHENNAI-600 040.**
- 2. THE CHAIRMAN
CENTRAL BOARD OF SECONDARY EDUCATION,
PARYAVARAN BHAVAN, 8TH FLOOR, CGO COMPLEX
LODHI ROAD, NEW DELHI-110 003.**
- 3. PRINICIPAL
CHERUPUZHPA BATHANY SENIOR SECONDARY SCHOOL, PB NO.1
CHUNAKKARA P.O., ALAPPUZHA DISTRICT-690534..**

R1 TO R3 BY SRI.DEVAN RAMACHANDRAN, SC, CBSE

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 24-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

bp

APPENDIX

PETITIONER(S)' EXHIBITS

- EXT.P1 : TRUE COPY OF THE REGISTRATION CARD IX-2004 -2005 OF THE PETITIONER ISSUED FROM THE CBSE, DELHI.
- EXT.P2 : TRUE COPY OF THE PETITIONER'S MARKS STATEMENT DT.27-5-2006 ISSUED FROM THE CBSE FOR THE ALL INDIA SECONDARY EXAMINATIONS IN 2006.
- EXT.P3 : TRUE COPY OF THE BIRTH CERTIFICATE OF THE PETITIONER ISSUED ON 10-11-14 FROM THE MAVELIKARA MUNICIPALITY.
- EXT.P4 : TRUE COPY OF THE REPRESENTATION DT.17-11-14 SUBMITTED BY THE PETITIONER TO R1.
- EXT.P5 : TRUE COPY OF THE LETTER AND FORMAT FORWARDED BY R3 TO THE R1.
- EXT.P6 : TRUE COPY OF THE LETTER DT.31-12-14 ISSUED BY THE R1.

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

//TRUE COPY//

P.A. TO JUDGE

bp

P.R. RAMACHANDRA MENON J.

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Dated, this the 24th day of February, 2015

JUDGMENT

The petitioner is stated as aggrieved of the inadvertent mistake which has crept in the school records/certificates showing the date of birth of the petitioner as 09.12.1990 in place of **'09.09.1990'**.

2. The learned counsel for the petitioner submits that, eventhough the petitioner has approached the school authorities/respondent No.3 along with a copy of the birth certificate (produced as per Ext.P3), wherein, the date of birth has been correctly given as **'09.09.1990'** it has not given any result; which made the petitioner to approach this Court seeking for appropriate reliefs.

3. The learned standing counsel for the C.B.S.E. submits that, by virtue of the mandate under 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 **'09.09.1990'**. Thereafter, the application has to be got forwarded along with the corrected date of birth as certified by the school

authorities to the first respondent/competent authority, 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 school authorities/3rd respondent and get her school records corrected, based on the relevant materials and as verified by the concerned local authority; simultaneously causing the same to be forwarded to the first respondent/competent authority 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/competent authority 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' (now stated as five years) as referred to in the 'Bye law' 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/competent authority, after conducting verification with the concerned authority, if necessary, as expeditiously as possible, at any rate, within 'three months' from the date of receipt of the proceedings as aforesaid.

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: 3 :

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

The writ petition is disposed of as above.

Sd/-

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

kmd