

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

THURSDAY, THE 12TH DAY OF MARCH 2015/21ST PHALGUNA, 1936

WP(C).No.4521 of 2015 (M)

PETITIONER:

**VEENA.S,D/O.THULASEEDHARAN NAIR,
ALUMUTTIL HOUSE,KARAVALLOORE,
PUNALUR,KOLLAM DISTRICT.**

**BY ADVS.SRI.MANOJ RAMASWAMY
SMT.SANJANA R.NAIR**

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,B BLOCK,
CGO COMPLEX,LODHU ROAD,NEW DELHI-110 003.**
- 3. THE PRINCIPAL,SABARIGIRI ENGLISH SCHOOL,
ANCHAL,KOLLAM-691 306.**

BY SRI.DEVAN RAMACHANDRAN, SC, CBSE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

WP(C).No.4521 of 2015 (M)

APPENDIX

PETITIONER'S EXHIBITS:

EXT P1:TRUE COPY OF THE MARK LIST OF THE PETITIONER.

**EXT P2:TRUE COPY OF THE BIRTH CERTIFICATE OF THE PETITIONER
DATED 27-10-1993 ISSUED FROM THE ANCHAL GRAMA PANCHAYAT.**

**EXT P3:TRUE COPY OF THE COMMUNICATION ISSUED BY THE 1ST
RESPONDENT DATED 14-08-2014.**

**EXT P4:TRUE COPY OF THE VERSION OF RULE 69.2 OF THE EXAMINATION BYE-
LAW OF THE CENTRAL BOARD OF SECONDARY EDUCATION.**

RESPONDENT'S EXHIBITS: **NIL**

//TRUE COPY//

P.S. TO JUDGE

pk

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.4521 of 2015

Dated this the 12th day of March, 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 '**25.12.1989**' in place of '**25.05.1989**'.

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 '**25.05.1989**'. 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 '**25.05.1989**'. Thereafter, the application has to be got 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 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 1st 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 1st 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 1st 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**

sp