

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

FRIDAY, THE 6TH DAY OF MARCH 2015/15TH PHALGUNA, 1936

WP(C).No. 7092 of 2015 ()

PETITIONER(S):

**KRISHNADAS.V AGED 22 YEARS
S/O.VINAYACHANDRAN, LEKSHMI BHAVANAM
NANGIARKULANGARA P.O., ALAPPUZHA DISTRICT**

**BY ADVS.SRI.S.SHANAVAS KHAN
SMT.S.INDU**

RESPONDENT(S):

**1. THE CENTRAL BOARD OF SECONDARY EDUCATION
REPRESENTED BY REGIONAL OFFICER, REGIONAL OFFICE
NEW NO.3 (OLD NO.1630 A) 16TH MAIN ROAD J BLOCK ANNA NAGAR WEST
CHENNAI - 600 040.**

**2. THE PRINCIPAL, S.N.TRUST CENTRAL SCHOOL
NANGIARKULANGARA P.O., HARIPAD
ALAPPUZHA DISTRICT - 690 513.**

**R1 BY ADV. SRI.A.N.RAJAN BABU
R2 BY SRI.DEVAN RAMACHANDRAN, SC, CBSE**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
06-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

MJS

WP(C).No. 7092 of 2015 ()

APPENDIX

PETITIONER(S)' EXHIBITS

- P1- TRUE COPY OF THE BIRTH CERTIFICATE OF THE PETITIONER DATED
18.5.2011 ISSUED BY REGISTRAR OF BIRTHS AND DEATHS, MAVELIKKARA
MUNICIPALITY**
- P2- TRUE COPY OF THE SCHOOL CERTIFICATE ISSUED BY THE FIRST
RESPONDENT DATED 28.5.2010**
- P3- TRUE COPY OF THE REPLY DATED 28.2.2015 GIVEN BY SECOND
RESPONDENT**

RESPONDENT(S)' EXHIBITS

NIL

/TRUE COPY/

P.S. TO JUDGE

MJS

P.R. RAMACHANDRA MENON, J.

.....
W.P.(C)No.7092 OF 2015
.....

Dated this the 6th March, 2015

J U D G M E N T

The petitioner is stated as aggrieved of the inadvertant mistake which has crept in the school records/certificates showing the date of birth of the petitioner as '**06.11.1993**' in place of '**06.11.1992**'. That apart, the name of father of the petitioner was wrongly shown as 'Vinayan.C' instead of '**Vinayachandran**'.

2. The learned counsel for the petitioner submits that, eventhough the petitioner has approached the school authorities/respondent No.2 along with a copy of the birth certificate (produced as per Ext.P1), wherein, the date of birth has been correctly given as '**06.11.1992**' and name of father as '**VINAYACHANDRAN**', 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 his school records corrected showing the actual date of

birth as **'06.11.1992** and name of father as **VINAYACHANDRAN'**. Thereafter, the application has to be got forwarded along with the corrected date of birth and name of father, as certified by the school authorities to the 1st respondent/CBSE, Regional Office, Chennai, 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 2nd respondent and get his school records corrected based on the relevant materials; simultaneously causing the same to be forwarded to the first respondent/CBSE, 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

verification as expeditiously as possible, at any rate, within 'three months' from the date of receipt of a copy of the proceedings as aforesaid.

The writ petition is disposed of as above. The petitioner shall produce a copy of the judgment along with a copy of the writ petition before first respondent/competent authority for further steps.

**P.R.RAMACHANDRA MENON
JUDGE**

/k