

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.R.RAMACHANDRA MENON

TUESDAY, THE 7TH DAY OF APRIL 2015/17TH CHAITHRA, 1937

WP(C).No.8527 of 2015 (M)

PETITIONER:

**TIJIN TITUS,AGED 18 YEARS,S/O.JASEENTHA.L,
TIJI HOUSE,THUNDATHIL POST,CHENKOTTUKONAM,
THIRUVANANTHAPURAM-695 581.**

BY ADV.SRI.M.DINESH

RESPONDENT'S:

- 1. REGIONAL OFFICER,CENTRAL BOARD OF SECONDARY EDUCATION,
NEW NO.03(OLD NO.1630-A),J.BLOCK,16TH MAIN ROAD,
ANNA NAGAR (WEST),CHENNAI-600 040.**
- 2. PRINCIPAL,SREENARAYANA PUBLIC SCHOOL,
GURUDEVAPURAM,CHENKOTTIKONAM,THUNDATHIL P.O.
THIRUVANANTHAPURAM-695 581.**
- 3. PRINCIPAL,MADAVAVILASOM HIGHER SECONDARY SCHOOL,
THUNDATHIL,THIRUVANANTHAPURAM-695 581.**

BY SRI.DEVAN RAMACHANDRAN,SC,CBSE

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07-04-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

pk

APPENDIX

PETITIONER'S EXHIBITS:

**EXT.P1:TRUE COPY OF THE GRADE SHEET CUM CERTIFICATE OF
PERFORMANCE ISSUED BY THE C.B.S.E. ON 26.05.2013.**

**EXT.P2:TRUE COPY OF THE MIGRATION CERTIFICATE ISSUED BY C.B.S.E.
DATED 31.3.2013.**

**EXT.P3:TRUE COPY OD THE BIRTH CERTIFICATE ISSUED BY SECRETARY OF
THIRUVANANTHAPURAM CORPORATION.**

**EXT.P4:TRUE COPY OF THE LETTER OF THE 2ND RESPONDENT FOR DATE OF
BIRTH CORRECTION DATED 20.12.2014.**

**EXT.P5:TRUE COPY OF THE LETTER OF REJECTION OF APPLICATION FOR
CORRECTION OF DATE OF BIRTH FROM THE 1ST RESPONDENT
DATED 13.3.2014.**

**EXT.P6:TRUE COPY OF THE LETTER OF THE 2ND RESPONDENT ALONG WITH
THE FILLED FORMAT FOR CORRECTION OF DATE OF BIRTH
DATED 28.3.2014 TO COMPETENT AUTHORITY OF THE BOARD.**

**EXT.P7:TRUE COPY OF THE LETTER ISSUED BY THE 1ST RESPONDENT TO THE
PETITIONER ON 25.2.2015.**

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

P.R. RAMACHANDRA MENON, J.

W.P.(C) No.8527 of 2015

Dated this the 7th day of April, 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 '**26.09.1996**' in place of '**26.09.1995**'.

2. The case of the petitioner is that, he had preferred an application before the 1st respondent, to have the above mistake corrected. Ext.P3 is the birth certificate showing the actual date of birth as '**26.09.1995**'. The learned counsel for the petitioner points out that, the petitioner had passed her Secondary School Examination from the 2nd 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 '**26.09.1995**'. 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 2nd and 3rd respondent School and get his 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.

Sd/-
P.R. RAMACHANDRA MENON,
JUDGE

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