

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.HARILAL

THURSDAY, THE 19TH DAY OF NOVEMBER 2015/28TH KARTHIKA, 1937

WP(C).NO. 13784 OF 2012 (W)

PETITIONER:

AJITHA KUMAR R, AGED 47 YEARS,
EDAVAZHIKKAL HOUSE, UMANAGAR, STREET NO.10,
KOLAZHI.P.O., THRISSUR DISTRICT, PIN-680 010.

BY ADV. SRI.C.A.ANOOP

RESPONDENT(S) :

1. PRINCIPAL,
KENDRIYA VIDYALAYA, PURANATTUKARA.P.O., THRISSUR,
PIN-680 551.
2. THE DIRECTOR,
CENTRAL BOARD OF SECONDARY EDUCATION, NEW DELHI-110001

R1 BY ADV. SRI.V.V.ASOKAN
R1 BY SRI.V.V.ASOKAN
R BY SRI.DEVAN RAMACHANDRAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
19-11-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

- EXHIBIT P1- TRUE COPY OF THE APPLICATION DATED 2.02.2011 FOR GETTING
EXTRACT OF ADMISSION REGISTER (ADMN NO.4879)
- EXHIBIT P2- TRUE COPY OF THE ADMISSION REGISTER OF PETITIONER'S
DAUGHTER ANJANA, ISSUED BY THE FIRST RESPONDENT.
- EXHIBIT P3- TRUE COPY OF THE APPLICATION FOR CORRECTION SUBMITTED BY
PETITIONER BEFORE 1ST RESPONDENT.
- EXHIBIT P4- TRUE COPY OF THE CERTIFICATE ISSUED BY THAHSILDAR DATED
30.1.2012.
- EXHIBIT P5- TRUE COPY OF THE BIRTH CERTIFICATE OF THE PETITIONER'S
DAUGHTER ANJANA.
- EXHIBIT P6- TRUE COPY OF THE SECONDARY SCHOOL LEAVING CERTIFICATE OF
THE PETITIONER.

RESPONDENTS' EXHIBITS :

- EXHIBIT R1(A) : TRUE COPY OF THE TRANSFER CERTIFICATE ISSUED BY
KENDRIYA VIDYALAYA, JORHAT, ASSAM.
- EXHIBIT R1(B) : TRUE COPY OF THE CERTIFICATE ISSUED BY DEPUTY
INSPECTOR GENERAL, HEAD QUARTERS, ARUNACHAL AND
ASSAM RANGE.
- EXHIBIT R1(C) : TRUE COPY OF THE DECLARATION FILED BY THE PETITIONER.
- EXHIBIT R1(D) : TRUE COPY OF THE BIRTH CERTIFICATE OF MS. ANJANA
OBTAINED FROM VILAVATTOM GRAMA PANCHAYAT

//TRUE COPY/

P.A. TO JUDGE

DST

K. HARILAL, J.

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W.P. (C) No.13784 of 2012

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Dated this the 19th day of November, 2015

J U D G M E N T

The petitioner herein is the father of Miss.Anjana, who is studying in Class X in Kendriya Vidyalaya, Puranattukara, Thrissur. The petitioner applied for getting the extract of admission register from the said school and obtained the same, which was evidenced by Ext.P2. In Ext.P2, it was noted that the name of the petitioner is shown as 'AJITH KUMAR R'. In fact, the petitioner's name is 'AJITHA KUMAR'. Immediately, the petitioner approached the 1st respondent for correction of his name shown in the admission register, by filing Ext.P3 application. The 1st respondent returned the said application with an endorsement that the check may be done in the admission register as per the Tahsildar's certificate. Accordingly, the petitioner approached the

-: 2 :-

Tahsildar and obtained Ext.P4 certificate, showing that 'AJITHKUMAR R., S/o. Raman Nair, Edavazhikkal House, Kolazhi' and 'AJITHAKUMAR.R., S/o. Raman Nair, Edavazhikkal House, Kolazhi' are one and the same person. That apart, in Ext.P5, the Birth Certificate and Ext.P6, the Secondary School Leaving Certificate, the petitioner's name is shown as 'AJITHAKUMAR R'. The grievance of the petitioner is that even after producing all these documents, the 1st respondent is reluctant to change the name of the petitioner in the school admission register. Hence, he prayed for issuing of a writ of mandamus directing the 1st respondent to correct the petitioner's name in Ext.P2 admission register as 'AJITHAKUMAR R.', instead of 'AJITH KUMAR R'.

2. The respondent filed a counter statement, contending that the petitioner's daughter Anjana took admission in Class 2 to Kendriya Vidyalaya, Puranattukara

-: 3 :-

on 23.06.2004, on the production of the Transfer Certificate, from the previous school i.e., K.V.A.F.S. Jorhat, Assam, where the petitioner's name was recorded as 'AJITH KUMAR R'. So also, at the time of admission, the petitioner produced the certificate from his employer Deputy Inspector General, Headquarters, Arunachal and Assam Range, in support of his proof of movement, wherein the name of the petitioner was certified as 'AJITH KUMAR. R'. It is on the basis of such disclosures made by the petitioner himself, the school recorded the data in the admission register citing the name of the father of Anjana as 'AJITH KUMAR. R'. The admission form filled by the parent in his own hand, at the time of admission also disclosed the name of the father of Anjana as 'AJITH KUMAR R'. The parent also submitted a photocopy of the said certificates of Miss.Anjana obtained from Vilavattom Grama Panchayath, in which the father's name is disclosed

-: 4 :-

as 'AJITH KUMAR R'. Since the petitioner's daughter Miss.Anjana is a 10th standard student of Kendriya Vidyalaya, Puranattukara, Thrissur, her data has already been forwarded to Central Board of Secondary Education i.e., while the student was in IX. It is only after long after the forwarding of the details of Miss.Anjana to the Central Board of Secondary Education that the petitioner has approached the 1st respondent with an application for correction of his name in the school records of Miss.Anjana. The petitioner had not produced Exts.P5 and P6 documents before the 1st respondent. Thus, the petitioner is not at all justified in finding fault with the 1st respondent for not entertaining his request. It is also made clear that the 1st respondent has no objection in making necessary corrections in the school records, subject to the petitioner making available a corrected Transfer Certificate from the original school, where Miss.Anjana was

-: 5 :-

initially studied along with some authenticated documents from the employer of the petitioner, certifying that the correct name of the petitioner is 'AJITHA KUMAR R.', as the admission was given solely on his defence service documents and Transfer Certificate.

3. Heard the learned counsel for the respondent.

4. I have carefully considered the reasons, whereby the 1st respondent was reluctant in making correction in the admission register. As submitted by the 1st respondent, the admission was given solely on the petitioner's defence service documents and Transfer Certificate. If that be so, unless correction is sought for with the concurrence of those authorities, the corrections in the admission register alone cannot be materialised. I find that the 1st respondent expressed his willingness to make correction in the admission register provided that the petitioner shall furnish the necessary documents as

-: 6 :-

required by the 1st respondent. Thus, the condition made for making correction appears to be just and reasonable. Therefore, the 1st respondent is directed to proceed with the correction, if the petitioner produces the documents, as required by the 1st respondent, at any rate, within a period of three months from the date of production of those documents.

The Writ Petition is disposed of accordingly.

Sd/-

**K. HARILAL,
JUDGE**

DST

//True copy//

P.A. To Judge