

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 12TH DAY OF MAY 2015/22ND VAISAKHA, 1937

WP(C).No. 14337 of 2015 (N)

PETITIONER(S):

**ASIF AJMAL AMIR KHAN, AGED 29 YEARS,
S/O.SHRI.C.PAMEER KANNU,
GHAZAL KAMPALADY PORUVAZHY P.O., KOLLAM-690 520.**

**BY ADVS.SRI.P.SREEKUMAR
SRI.S.PRASANTH
SMT.P.M.MAZNA MANSOOR**

RESPONDENT(S):

- 1. CENTRAL BOARD OF SECONDARY EDUCATION
REP. BY ITS SECRETARY, REGIONAL OFFICE, CHENNAI-600001.**
- 2. CONTROLLER OF EXAMINATIONS,
CENTRAL BOARD OF SECONDARY EDUCATION, CHENNAI-600001.**
- 3. THE PRINCIPAL
SHRI BUDDHA CENTRAL SCHOOL, EDAKKULANGARI,
KARUNAGAPALLI, KOLLAM-690 518.**
- 4. THE PASS PORT OFFICER,
PASSPORT SEVA KENDRA, KOLLAM-691 001.**

**R1 & 2 BY SRI.DEVAN RAMACHANDRAN, SC, CBSE
R4 BY ADV. SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- P1. TRUE COPY OF THE CERTIFICATE ISSUED BY THE 2ND RESPONDENT**
- P2. TRUE COPY OF THE BIRTH CERTIFICATE ISSUED BY THE PETITIONER WITH THE REGISTRAR OF BIRTH**
- P3. TRUE COPY OF THE PETITION SUBMITTED BY THE PETITIONER'S FATHER BEFORE THE 3RD RESPONDENT**
- P4. TRUE COPY OF THE COMMUNICATION DATED 5/2/2015 ISSUED TO THE PETITIONER'S FATHER.**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A. MUHAMED MUSTAQUE, J.

W.P.(C) No.14337 of 2015

Dated this the 12th day of May, 2015

JUDGMENT

The petitioner passed Secondary School Examination, 2006 offered by the Central Board of Secondary Education. He wants to correct his date of birth as 08.06.1990 as stated in Ext.P2 birth certificate. In Ext.P1 certificate issued by the CBSE, the petitioner's date of birth is shown as 04.05.1991

2. I am of the view that Ext.P1 bears the date of birth of the petitioner as shown in the school records. Therefore, the petitioner shall approach the school authority to correct his date of birth in the school records.

3. This Court in **Sreeraj Nath v. Central Board of Secondary Education, Chennai** [2013 KHC 2724] held that it is for the school authorities to make initial correction and thereafter forward the same to the CBSE for making corrections in the certificate and further that bar of five years will not stand in the way of causing date of birth corrected in genuine cases.

4. In view of the above, the petitioner shall submit an

application to the third respondent, who shall make necessary enquiry in the matter and if the genuineness of the claim is found to be correct, necessary correction shall be made in the school records and the same shall be forwarded to the second respondent, who shall make necessary correction in accordance with law. This shall be done within a period of two months. It is open to the petitioner to produce authenticated copies of the birth certificate before respondents 3 and 2. No costs.

The Writ Petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE,
JUDGE

JV