IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

FRIDAY, THE 6TH DAY OF FEBRUARY 2015/17TH MAGHA, 1936

WP(C).No. 18316 of 2012 (L)

PETITIONER(S):

YASEER, AGED 23 YEARS
S/O.BEERAN, MALANGADAN HOUSE, CHERUPALLY ROAD
KARAKKUNNU POST - 676 123, MANJERI, MALAPPURAM.

BY ADV. SRI.SHERRY J. THOMAS

RESPONDENT(S):

1. **CENTRAL BOARD OF SECONDARY EDUCATION,**
   REPRESENTED BY ITS DIRECTOR
   "SHIKSHA KENDRA", 2, COMMUNITY CENTRE
   PREET VIHAR, DELHI - 110 092.

2. **REGIONAL OFFICER,**
   CENTRAL BOARD OF SECONDARY EDUCATION, PLOT NO.1630 A
   J BLOCK, 16TH MAIN ROAD ANNA NAGAR WEST
   CHENNAI - 600 040

3. **PRINCIPAL,**
   MUBARAK ENGLISH MEDIUM SCHOOL, SENIOR SECONDARY
   MANJERI COLLEGE P.O., MALAPPURAM DISTRICT
   KERALA - 676 122.

R1 & R2 BY SRI.DEVAN RAMACHANDRAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER(S) EXHIBITS

EXHIBIT P1. TRUE COPY OF THE BIRTH CERTIFICATE DATED 27.01.2011 ISSUED BY THE LOCAL BODY.

EXHIBIT P2. TRUE COPY OF THE CERTIFICATE OF CBSE DATED 24.05.2005.

EXHIBIT P3. THE TRUE COPY OF THE CBSE MARK LIST OF THE PETITIONER DATED 24.05.2005.

EXHIBIT P4. THE TRUE COPY OF THE LETTER DATED 02.05.2012 ISSUED FROM THE 3RD RESPONDENT SCHOOL.

EXHIBIT P5. THE TRUE COPY OF THE LETTER DATED 30.05.2012 ISSUED FROM THE 3RD RESPONDENT SCHOOL.

EXHIBIT P6. THE TRUE COPY OF THE APPLICATION IN FORMAT SENT TO THE 2ND RESPONDENT.

RESPONDENTS' EXHIBITS: NIL.

TRUE COPY

P.A. TO JUDGE.

KP

A.V.RAMAKRISHNA PILLAI, J.

W.P.(C) No.18316 of 2012

Dated this the 6th day of February, 2015.

JUDGMENT

The petitioner has approached this Court seeking for a direction to the respondents to correct the date of birth in the school records. This Court by the interim order dated 19.12.2012, directed as follows:

> "(i) The petitioner shall within one week from the date of receipt of a copy of this order, submit an appropriate application addressed to the second respondent before the third respondent for correcting the date of birth in the school records and in the original of Ext.P2 pass certificate and Ext.P3 mark list. It will be open to the petitioner to enclose documents to prove that his date of birth is 24.3.1989 and not 3.4.1989.
>
> (ii) The third respondent shall, if he is satisfied that the date of birth of the petitioner is 24.3.1989, forward it together with his views to the second respondent within one week from the date of receipt of the application from the petitioner.
>
> (iv) The second respondent shall upon receipt of the application consider it and pass appropriate orders thereon within one month from the date of receipt of the application.

(v) The second respondent shall after a decision is taken in the matter communicate it to the petitioner."

2. Today, when the matter came up for hearing, the learned counsel for the petitioner submitted that on the basis of the interim order, the date of birth of the petitioner has been corrected.

As there is no surviving cause of action, the writ petition is closed by making the interim order absolute.

Sd/-
A.V.RAMAKRISHNA PILLAI
JUDGE

Scl.