

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN**

**FRIDAY, THE 5TH DAY OF JUNE 2015/15TH JYAISHTA, 1937**

**WP(C).No. 14888 of 2015 (I)**  
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**PETITIONER :**  
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**RESHMA U.K., AGED 22 YEARS,  
USHUS, PACHIRA, PALLIPPURAM P.O.,  
THIRUVANANTHAPURAM.**

**BY ADVS.SRI.PIRAPPANCODE V.S.SUDHIR  
SRI.JELSON J.EDAMPADAM**

**RESPONDENTS :**  
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- 1. UNION OF INDIA  
REPRESENTED BY ITS SECRETARY,  
MINISTRY OF HUMAN RESOURCES DEVELOPMENT, NEW DELHI.**
- 2. THE REGIONAL OFFICER  
CENTRAL BOARD OF SECONDARY EDUCATION  
REGIONAL OFFICE, NEW NO.3 J-BLOCK, 16TH MAIN ROAD  
ANNA NAGAR, CHENNAI-600 040.**
- 3. THE PRINCIPAL  
A.J.CENTRAL SENIOR SECONDARY SCHOOL, SIMI GARDENS,  
KAZHAKUTTOM, THIRUVANANTHAPURAM.**

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

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD  
ON 05-06-2015, THE COURT ON THE SAME DAY DELIVERED  
THE FOLLOWING:**

**bp**

**APPENDIX**

**PETITIONER(S)' EXHIBITS**  
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- EXT.P1: TRUE COPY OF THE CERTIFICATE DATED 26/5/20009 ISSUED BY THE CONTROLLER OF EXAMINATIONS, CBSE CERTIFYING THAT THE PETITIONER HAS PASSED THE SECONDARY SCHOOL EXAMINATION.
- EXT.P1(A): TRUE COPY OF THE MARKS STATEMENT OF THE PETITIONER.
- EXT.P2: TRUE COPY OF THE MIGRATION CERTIFICATE NO.398190 ISSUED TO THE PETITIONER BY THE 2ND RESPONDENT DATED 30/4/2009.
- EXT.P3: TRUE COPY OF THE CERTIFICATE OF BIRTH ISSUED BY THE REGISTRAR OF BIRTHS AND SECRETARY, MULOM GRAMA PANCHAYATH.
- EXT.P4: TRUE COPY OF THE LETTER DATED 15/12/2014 OF THE 3RD RESPONDENT.
- EXT.P5: TRUE COPY OF THE RELEVANT EXTRACT OF THE EXAMINATION BYE-LAWS ISSUED BY THE CENTRAL BOARD OF HIGHER SECONDARY EDUCATION.
- EXT.P6: TRUE COPY OF THE LETTER VIDE NO.RO(M)/CORRN/REJECTION/DOB/2015/5784 DATED 24/2/2015 OF THE 2ND RESPONDENT

RESPONDENT(S)' EXHIBITS : NIL.

//TRUE COPY//

P.A. TO JUDGE

bp

**K. VINOD CHANDRAN, J.**

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**W.P(C). No.14888 of 2015**  
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**Dated this the 5<sup>th</sup> day of June, 2015.**

**JUDGMENT**

The petitioner finished her Secondary School Examination in the year 2009, the Certificate of which is produced at Ext.P1. The petitioner's date of birth as entered in the Certificate was 15.04.1994. However, the correct date of birth of the petitioner is 15.04.1993. Petitioner relies on the Birth Certificate issued by the Department of Panchayat/Urban Affairs of the Government of Kerala produced at Ext.P3 to contend that the actual date of birth of the petitioner was 15.04.1993. The petitioner seeks correction of the date of birth.

2. Even as per the regulations of the C.B.S.E., the date of birth in the Certificate can be corrected, if an application is made within five years and the School records are corrected to that effect. The petitioner has produced document at Ext.P4, which is the forwarding letter of the Principal of the 3<sup>rd</sup> respondent School dated 15.12.2014, within the time provided in the regulations

produced at Ext.P5.

3. However, it is submitted by the learned Standing Counsel for the respondents that, in all probability, the School would have merely sent an application and that would not facilitate the correction as such, since the School Register also has to be duly corrected.

4. In such circumstances, the petitioner shall approach the 3<sup>rd</sup> respondent with an application to correct the School Register and the Principal shall within two weeks of such application, correct the School Register and forward a fresh application to the C.B.S.E., which shall be considered as one filed within the time as provided in Ext.P5, since already an application had been made. On receipt of such application, the correction of date of birth shall be effected in the Certificate within a period of three months from the date of receipt of a certified copy of this judgment.

The writ petition is allowed. No costs.

Sd/-  
**K. VINOD CHANDRAN,**  
**JUDGE**

sp