

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 13TH DAY OF JULY 2015/22ND ASHADHA, 1937

WP(C) .No. 15711 of 2015 (L)  
-----

PETITIONER(S) :  
-----

HARIKRISHNAN.V.H.,  
NAGARSALA, VENPAKAL, VENPAKAL P.O.,  
NEYYATTINKARA.

BY ADVOCATE SRI.R.V.SREEJITH

RESPONDENT(S) :  
-----

1. UNION OF INDIA, REPRESENTED BY ITS  
SECRETARY, MINISTRY OF HUMAN RESOURCES  
DEVELOPMENT, NEW DELHI- 110001.
2. THE CHAIRMAN, CENTRAL BOARD OF SECONDARY  
EDUCATION, PARYAVARAN BHAVAN,  
8TH FLOOR, B BLOCK, CGO COMPLEX,  
LODHU ROAD, NEW DELHI- 110003.
3. THE REGIONAL OFFICER,  
CENTRAL BOARD OF SECONDARY EDUCATION,  
REGIONAL OFFICE, NEW No.3 'J' BLOCK,  
16TH MAIN ROAD, ANNA NAGAR,  
CHENNAI- 600040.
4. THE PRINCIPAL, DR.G.R.PUBLIC SCHOOL,  
OORUTTUKALA, NEYYATTINKARA P.O.,  
THIRUVANANTHAPURAM DISTRICT- 695121.

R1 BY SRI.N.NAGARESH, ASSISTANT SOLICITOR GENERAL OF INDIA  
BY SRI.S.VAIDYANATHAN, CGC  
R2 & R3 BY SRI.DEVAN RAMACHANDRAN, SC, CBSE

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD  
ON 13-07-2015, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

p.t.o

-----

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT P1: TRUE COPY OF THE CERTIFICATE DATED 21.5.2012 ISSUED ON  
BEHALF OF THE 2ND RESPONDENT.

EXHIBIT P2: TRUE COPY OF THE BIRTH CERTIFICATE OF THE PETITIONER  
ISSUED BY THE THIRUVANANTHAPURAM CORPORATION.

EXHIBIT P3: TRUE COPY OF THE COMMUNICATION BY THE 3RD RESPONDENT  
DATED 15.5.2015.

RESPONDENT'S EXHIBITS: NIL

//TRUE COPY//

P.S. TO JUDGE

LPD

**K. VINOD CHANDRAN, J.**

-----  
**W.P(C). No.15711 of 2015**  
-----

**Dated this the 13<sup>th</sup> day of July, 2015.**

**JUDGMENT**

The petitioner is aggrieved with the fact that the petitioner's date of birth has not been corrected, despite an application having been forwarded through the 4<sup>th</sup> respondent School. However, no such application is produced herein.

2. The case of the petitioner is that, at the time of declaration of date of birth, there occurred a mistake in so far as the petitioner's date of birth is declared as 20.01.1997 instead of 20.01.1996. The petitioner also relies on the Birth Certificate issued by the Local Self Government Institution, produced at Ext.P2, which indicates the date of birth of the petitioner to be 20.01.1996.

3. Even the regulations of C.B.S.E. provides that if an application is made within five years from the date of declaration of results, then the same can be considered. However, the same cannot be merely forwarded through the 4<sup>th</sup> respondent, but

forwarded through the 4<sup>th</sup> respondent, after the 4<sup>th</sup> respondent makes appropriate corrections in the School Register. The 4<sup>th</sup> respondent also has to certify before the C.B.S.E., that such correction has been made.

3. In such circumstance, the petitioner has to approach the 3<sup>rd</sup> respondent with a proper application addressed to the 4<sup>th</sup> respondent, as also the C.B.S.E. The 4<sup>th</sup> respondent shall make the corrections, after verifying the genuineness of the Birth Certificate produced; in its records. The 4<sup>th</sup> respondent shall also forward the application to the C.B.S.E along with its Certificate that the corrections have been made in the Register of the School. The C.B.S.E., on receipt of such application along with the Certificate, shall make the correction within a period of three months from the date of receipt of the application and the certificate of correction.

The writ petition is allowed.

Sd/-

**K. VINOD CHANDRAN,  
JUDGE**

sp