

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 15TH DAY OF JUNE 2015/25TH JYAISHTA, 1937

WP(C).No. 17238 of 2015 (D)

PETITIONER(S):

**DR. DENCY ANNA BABU,
D/O.BABU.G, EROS HOUSE,
VAYALA PO, VAYALA MURI, KOTTUKKAL VILLAGE,
KOTTARAKKARA TALUK, KOLLAM 691 306.**

BY ADV. SRI.B.MOHANLAL

RESPONDENT(S):

- 1. THE CHAIRPERSON, CENTRAL BOARD OF
SECONDARY EDUCATION, NEW DEHLI 110006.**
- 2. THE ASSISTANT SECRETARY, CENTRAL BOARD OF SECONDARY EDUCATION
REGIONAL OFFICE, NEW NO.3, J-BLOCK,
ANNA NAGAR (WEST), CHENNAI 40.**
- 3. THE CONTROLLER OF EXAMINATIONS,
CENTRAL BOARD OF SECONDARY EDUCATION
NEW NO.3, J-BLOCK, ANNA NAGAR (WEST),
CHENNAI - 40.**
- 4. THE PRINCIPAL,
ST.JOHNS SCHOOL, ANCHAL PO, KOLLAM, PIN 691 306.**
- 5. THE PRINCIPAL,
SABARIGIRI ENGLISH SCHOOL, ANCHAL PO,
KOLLAM, PIN 691 306.**

R1-3 BY SRI.DEVAN RAMACHANDRAN

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15-06-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

PJ

APPENDIX

PETITIONER(S)' EXHIBITS

- P1- THE TRUE COPY OF THE BIRTH CERTIFICATE ISSUED BY THE REGISTRAR OF BIRTHS AND DEATHS, THRIKKOVILAVATTOM GRAMA PANCHAYATH TO THE PETITIONER**
- P2- THE TRUE COPY OF THE AADHAR CARD OF THE PETITIONER**
- P3- THE TRUE COPY OF THE ELECTION IDENTITY CARD OF THE PETITIONER**
- P4- THE TRUE COPY OF THE RATION CARD OF THE PETITIONER**
- P5- THE TRUE COPY OF THE MARK LIST DATED 27.5.2006 OF SECONDARY SCHOOL EXAMINATION 2006 OF THE PETITIONER**
- P6- THE TRUE COPY OF THE CERTIFICATE OF ALL INDIA SECONDARY SCHOOL EXAMINATION 2006 OF THE PETITIONER**
- P7- THE TRUE COPY OF THE MARK LIST DATED 21.5.2008 OF ALL INDIA SENIOR SCHOOL CERTIFICATE EXAMINATION 2008 OF THE PETITIONER**
- P8- THE TRUE COPY OF THE CERTIFICATE DATED 21.5.2008 OF ALL INDIA SENIOR SCHOOL CERTIFICATE EXAMINATION 2008 OF THE PETITIONER**
- P9- THE TRUE COPY OF THE RELEVANT PAGES OF THE BYE LAW OF THE BOARD OBTAINED FROM THE WEBSITE**
- P10- THE TRUE COPY OF THE ORDER NO.R0(M).CORRN/REJECTION/2014/5744 DATED 5.3.2014 ISSUED BY THE 1ST RESPONDENT TO THE PETITIONER**
- P11- THE TRUE COPY OF THE ORDER NO.RO(M)/CORN/REJECTION/2014/5723 DATED 8.8.2014 ISSUED BY THE 2ND RESPONDENT OT THE PETITIONER**
- P12- THE TRUE COPY OF THE KERALA GAZATTE DATED 20.1.2015**
- P13- THE TRUE COPY OF THE PAPER PUBLICATION IN KERALA KAUMUDI DAILY DATED 4.4.2014 AND THE NEW INDIA EXPRESS DATED 5.2.2015**
- P14- THE TRUE COPY OF THE AFFIDAVITS DATED 28.1.2015 ATTESTED BY THE JUDICIAL FIRST CLASS MAGISTRATE COURT II, KOTTARAKKARA**
- P15- THE TRUE COPY OF THE DEMAND DRAFT IN FAVOUR OF 1ST RESPONDENT FROM S.B.T ANCHAL BRANCH DATED 9.2.2015 FOR RS.1,280/-**
- P16- THE TRUE COPY OF THE DEMAND DRAFT IN FAVOUR OF 1ST RESPONDENT FROM S.B.T ANCHAL BRANCH DATED 12.2.2015 FOR RS.1,280/-**

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- P17- THE TRUE COPY OF THE COMMUNICATION DATED 9.2.2015 ISSUED FROM THE 4TH RESPONDENT TO THE CBSE**
- P18- THE TRUE COPY OF THE COMMUNICATION NO.SRSA/CBSE/2014-15 DATED 18.2.2015 ISSUED FROM THE 5TH RESPONDENT TO THE CBSE**
- P19- THE TRUE COPY OF THE ORDER NO.RO(M)/CORN/REJECTION/2015/5744 DATED 1.4.2015 ISSUED BY THE C.B.S.E**
- P20- THE TRUE COPY OF THE ORDER NO.RO(M)/CORN/REJECTION/2015/5723 DATED 6.4.2015 ISSUED BY THE C.B.S.E**

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

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K. VINOD CHANDRAN, J.

W.P.(C) No. 17238 of 2015 (D)

Dated this the 15th day of June, 2015

J U D G M E N T

The petitioner is aggrieved with Exts.P19 and P20 orders issued by the Central Board of Secondary Education. The simple contention raised by the petitioner is that the orders does not disclose any reason for rejecting the application.

2. The petitioner's grievance is insofar as wrong entry of the names of the father and mother in the certificate. The certificates obtained by the petitioner in the 10th standard and 12th standard are produced at Exts.P5 to P8, where the mother's name is shown as Shakhy Babu and father's name as Babu Varghese. The petitioner on the basis of Ext.P1 Birth Certificate contended that her father's name is, in fact, Babu G. and her mother's name Annamma T.

3. The petitioner hence applied for change of name of the father and mother in the certificates issued by the CBSE; within the time stipulated in their regulations, which was responded to by Exts. P10 and P11. The said orders required the petitioner to produce publication in the Government Gazette and two newspapers, an affidavit duly sworn before the Judicial Magistrate and corrected copies of the school records duly attested by the Principal along with the payment of the prescribed fees. The petitioner is said to have produced all the said documents, which is indicated at Exts.P12 to P16.

4. The petitioner has produced all the documents required, except probably the corrected copies of the school records. The petitioner would rely on Exts.P17 and P18 to contend that the correction in the school records is evident from the said letters issued by the School. True, the school has issued a communication that the correction has been made in the register. What would now be required is, if at all, the production of the attested copies of the extract of

the school registers wherein such corrections have been made.

5. The petitioner shall approach the school from which the correction was sought and obtain such attested copies and produce the same before the CBSE directly and the CBSE shall consider the said application afresh. Only to facilitate such consideration, Exts.P19 and P20 would stand set aside. The consideration shall be made within three months from the date of production of the attested copies of the extracts of the school register.

Writ Petition disposed of.

Sd/-
K.VINOD CHANDRAN,
JUDGE