

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

WEDNESDAY, THE 23RD DAY OF DECEMBER 2015/2ND POUSHA, 1937

W.P. (C) .No. 39780 of 2015 (V)

PETITIONER :

ASHISH VIJAYAN
S/O.A.VIJAYAN NAIR,
AGED 20 YEARS,
AKSHAYA,
MELANGOT,
KANHANGAD P.O,
KASARAGOD DISTRICT
PIN CODE-671 317.

BY ADV. SRI.ARUN CHANDRAN

RESPONDENTS :

1. THE CENTRAL BOARD OF SECONDARY EDUCATION,
REPRESENTED BY ITS SECRETARY,
SHIKSHA KENDRA-2,
COMMUNITY CENTRE,
PREET VIHAR,
DELHI -110 092.
2. THE JOINT SECRETARY (REGIONAL OFFICER) ,
THE CENTRAL BOARD OF SECONDARY EDUCATION,
REGIONAL OFFICE,
NEW NO.3 (OLD NO.1630-A) ,
J-BLOCK,
16TH MAIN ROAD,
ANNA NAGAR (WEST) ,
CHENNAI - 600 040.

bpr

W.P.(C) .No. 39780 of 2015 (V)

3. THE PRINCIPAL,
CHINMAYA VIDYALAYA,
ATHIYAMBOOR,
KANHANGAD P.O.,
KASARAGOD DISTRICT - 671 317.

R1 & R2 BY SRI.K.M.ANEESH, SC, CENTRAL BOARD OF
SECONDARY EDUCATION

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 23-12-2015, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

bpr

W.P.(C).No. 39780 of 2015 (V)

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1 TRUE COPY OF THE BIRTH CERTIFICATE OF THE
 PETITIONER ISSUED BY AJANUR GRAMA PANCHAYAT
 UNDER SECTION 12 OF THE REGISTRATION OF BIRTHS
 & DEATHS ACT.

EXT.P2 TRUE COPY OF THE MARK LIST DATED 31.5.2011 OF
 THE PETITIONER.

EXT.P3 TRUE COPY OF THE PASS/MERIT CERTIFICATE DATED
 31.05.2011 OF THE PETITIONER.

EXT.P4 TRUE COPY OF THE COMMUNICATION NUMBERED RO (M) /
 CORRN/REJECTION/DOB/2014/3620 DATED 02.02.2015
 BY THE 3RD RESPONDENT.

RESPONDENTS EXHIBITS : NIL

//TRUE COPY//

P.A. TO JUDGE

bpr

A. MUHAMED MUSTAQUE, J.

W.P.(C).No. 39780 of 2015

Dated this the 23rd day of December, 2015

JUDGMENT

The petitioner requests for the correction of date of birth has been declined by Central Board of Secondary Education (CBSE) as per Ext.P4.

2. This Court is of the view that in the light of pre amended bye-laws, Ext.P4 has to set aside. Therefore, CBSE has to consider the application afresh, the following directions are issued :

- i) The 3rd respondent is directed to correct the school records and forward the same to the CBSE within three weeks.
- ii) The CBSE shall act upon the school records within further period of three months.
- iii) The petitioner's case has to be treated in the light of pre-amended rules.
- iv) It is to be noted that the petitioner only seeks for correction of date of birth.

v) The petitioner has to produce duly authenticated copies of the documents relied before the School Authorities as well as before the CBSE.

The writ petition is disposed of as above.

Sd/-
A. MUHAMED MUSTAQUE
JUDGE

bpr