

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.M. SUNDRESH

W.P.No.16325 of 2015
and
M.P.No.1 of 2015

Master R.Aravind
Represented by his father and natural guardian
Mr.P.Raghu

... Petitioner

- Vs -

1. The Director,
Directorate of Government Examination,
College Road, Nungambakkam,
Chennai-600 006.
2. The Principal,
Our Angel Mat.Hr.Sec. School,
Chowdry Nagar, Valasaravakkam,
Chennai-600 087.
3. The Commissioner,
Corporation of Chennai,
Rippon Buildings, Chennai-3.
(Suomotu impleaded as per order
dated 06/07/2015 in
W.P.No.16325 of 2015)

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, directing the first respondent to amend the Date of Birth from 21.06.1997 to 21.06.1998 in the SSLC Mark Sheet bearing S.L.No.SEC 2564679 within a time frame.

For Petitioner : Mr.G.L.Ramshankar

For Respondents : Mr.S.Pattabiraman (R1)
Government Advocate
Mr.P.V.Selvakumar (R3)
No appearance (R2)

O R D E R

Heard the learned counsel for the petitioner, appearing for the first respondent and the learned counsel appearing for the third respondent.

2. The petitioner made a request to the 2nd respondent for the change of Date of Birth in the SSLC certificate on the ground that instead of 21.06.1998 a wrong entry has been made as 21.06.1997 and the second respondent vide communication dated 27.03.2014 has requested the first respondent to change the Date of Birth in the Birth certificate. As the said request made was not considered, the present Writ Petition has been filed.

3. As rightly submitted by the learned counsel for the petitioner, there is no dispute on facts. A perusal of the Birth Certificate of the petitioner would go to show that the Date of Birth of the petitioner is 21.06.2008. Apart from that, in the letter of the second respondent dated 27.03.2014 sent to the first respondent, the second respondent has stated that the Date of Birth of the Petitioner is 21.06.1998 as per their record. The mistake has inadvertently happened both at the hands of the petitioner as well as the school in not verifying the certificate with the school records.

4. From the above, this Court is of the view that it would be unreasonable and unfair to drive the petitioner to go to the Civil Court. The error is only in respect to the year and not in the date and month. In the Birth Certificate, the Date of Birth is recorded as 21.06.1998. The second respondent also in his communication states that the Date of Birth of the petitioner as per the school record is 21.06.1998.

5. Considering the same, this Writ Petition is allowed and the second respondent is directed to send the records to the first respondent within a period of four weeks from the date of receipt of a copy of this order and after receipt of the same, the first

respondent is directed to amend the Date of Birth as 21.06.1998 in the SSLC Mark sheet within a period of six weeks thereafter. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

arr

To

1. The Director,
Directorate of Government Examination,
College Road, Nungambakkam,
Chennai-600 006.
2. The Principal,
Our Angel Mat.Hr.Sec. School,
Chowdry Nagar, Valasaravakkam,
Chennai-600 087.
3. The Commissioner,
Corporation of Chennai,
Rippon Buildings, Chennai-3.

+1cc to M/s.G.L.Ram Shankar, Advocate, S.R.No.48242
+1cc to M/s.P.V.Selva Kumar, Advocate, S.R.No.47820
+1cc to the Government Pleader, S.R.No.48316

W.P.No.16325 of 2015

NM(CO)
CA(22/09/2015)

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