

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27-07-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.22647 of 2015

M.Jagan

.. Petitioner

vs

1. The Director of Government Examination
DPI Complex, College Road
Chennai 600 006
2. The Secretary
Board of Secondary Education
Department of Government Examinations
Chennai 600 006
3. The Director of School Education
College Road, Chennai 600 006
4. The Correspondent
Arinjar Anna Government Higher
Secondary School
Poonamallee, Chennai 600 056

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents 1 to 3 to initiate appropriate action to rectify the error in the SSLC Marks Statement and correct the entry pertaining to the petitioner's date of birth as 25.5.1989 instead of 25.8.1989 in accordance with the entry in the Birth Certificate issued by the Corporation of Chennai wherein the petitioner's date of birth is clearly shown as 25.5.1989, and issued the same to the petitioner.

For Petitioner : Mr.S.Shinu

For Respondents : Mr.M.Digvijaya Pandian
Additional Government Pleader
for RR1 to 4

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner claims that he was born on 25.5.1989, at Chennai and the Birth Register extract issued by the Corporation of Chennai, would also clearly indicate that he was born on 25.5.1989. It is further stated by the petitioner that he was admitted to VI Standard in Aringnar Anna Government Higher Secondary School at Poonamallee, on 14.6.1999, and his father has also filed an affidavit stating that the petitioner was born only on 25.5.1989, and the School Authority has also recorded his date of birth as 25.5.1989 vide Admission No.29999.

3.The petitioner would state that he, after completing his SSLC, had undergone Diploma in Mechanical Engineering Course and thereafter, through lateral entry, completed B.E. (Mechanical) at Rajarajeswari Engineering College, Chennai 95, during the month of June, 2008. The petitioner would further state that when he applied for passport, he was informed that there is a discrepancy between the School Record and Birth Register extract, as to his date of birth, and in this regard, approached the School Authority, who has also sent a letter in Na.Ka.No.115/A6/2014 dated 22.4.2014, to the first respondent admitting the mistake that has crept in in the School Record, and requesting them to correct the date of birth of the petitioner as 25.5.1989, and the petitioner has also submitted a representation dated 3.11.2014, to the respondents and since he has not been favoured with any kind of response, came forward to file this writ petition.

4.Heard the submissions of the learned Counsel appearing for the petitioner, and Mr.M.Digvijaya Pandian, learned Additional Government Pleader, who accepted notice on behalf of the respondents.

5.Though the petitioner prayed for a larger relief, this Court, in the light of the facts and circumstances, permits the petitioner to submit a reminder to the first respondent by enclosing a copy of this order as well as a copy of his earlier representation dated 3.11.2014, along with the communication dated 22.4.2014, sent by the Headmaster of Arinjar Anna Government Higher Secondary School, Poonamallee, Chennai 56, in Na.Ka.No.115/A6/2014, within a period of two weeks from the date of receipt of a copy of this order and the third respondent on receipt of the same, is directed to consider it in accordance with law, after taking note of the recommendation made by the Headmaster of the said School, and pass orders within a period of four weeks thereafter and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To:

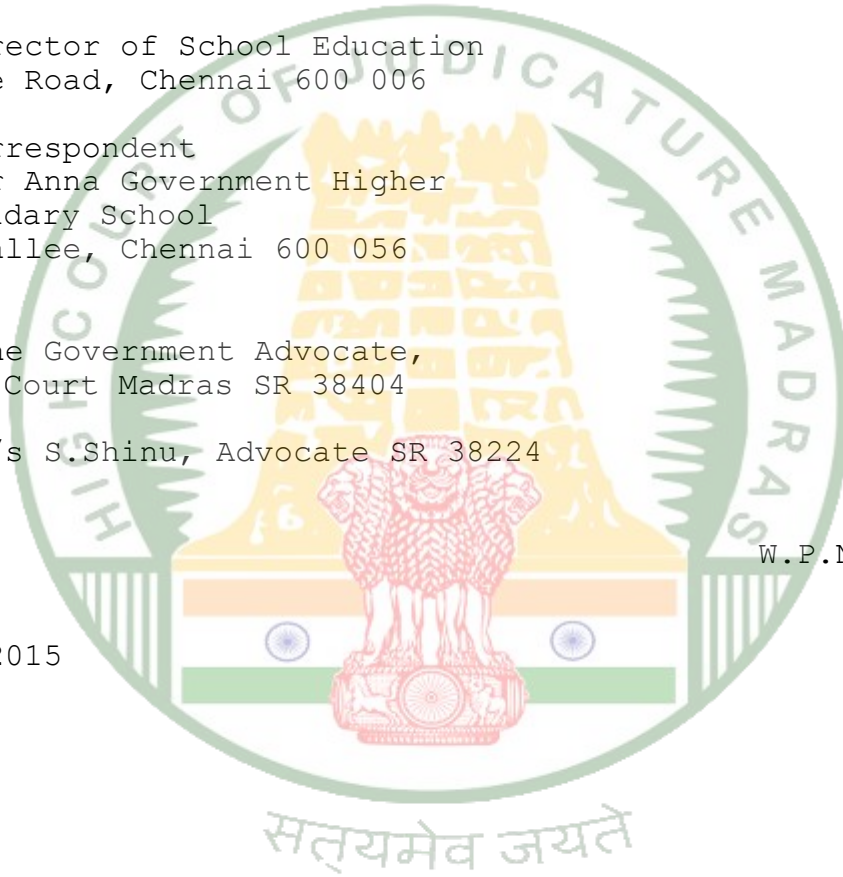
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+1cc to the Government Advocate,
High Court Madras SR 38404

+1cc to M/s S.Shinu, Advocate SR 38224

W.P.No.22647 of 2015

PPA (CO)
Rs 13.08.2015



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