

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.9114 of 2015

V.Vasanth Raj

...Petitioner

vs.

1. The Director of School Education,
Nungambakkam, Chennai - 600 006
2. The Headmaster,
Government Adi Dravidar Welfare Boys Higher Secondary School,
Kannigapuram, Chennai - 600 012
3. The Headmaster,
Government High School,
GKM Colony, Chennai - 600 082
4. The Headmaster,
SVM Primary school,
(Aided by Govt., of T.N.)
Kolathur, Chennai - 99

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for a issuance of Writ of Mandamus directing the 1st respondent to consider the petitioner's representation dated 02.03.2015 and thereby to issue a direction by directing the respondents 2,3 and 4 to enter petitioner's correct and original date of birth 25.12.1982 in all the petitioner's school records as per the birth certificate registration number: COC/1982/04/036/001780/0 dated 24th March, 2015 issued by the Competent Authority, Corporation of Chennai.

For Petitioner : Mr.A.K.Manojkumar

For Respondents : Mr.V.Jayaprakash Narayanan
Special Government Pleader

O R D E R

Heard Mr.A.K.Manojkumar, learned counsel appearing for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for respondents and perused the materials placed on record. With the consent on either side, the Writ Petition itself is taken up for final disposal at the admission stage.

2.The petitioner has filed this Writ petition seeking for a issuance of Writ of Mandamus directing the 1st respondent to consider the petitioner's representation dated 02.03.2015 and thereby to issue a direction by directing the respondents 2,3 and 4 to enter petitioner's correct and original date of birth 25.12.1982 in all the petitioner's school records as per the birth certificate registration number: COC/1982/04/036/001780/0 dated 24th March, 2015 issued by the Competent Authority, Corporation of Chennai.

3. According to the petitioner, his correct date of birth is 25.12.1982 and the birth took place at Railway Hospital, Perambur, Chennai and the same was registered before Registrar of Birth and Death, Corporation of Chennai on 27.12.1982. The petitioner has produced a copy of the birth extract and the same is filed in the typed set of papers.

4.It is stated that the petitioner's parents are illiterate and at the time of admission in school, it was mentioned as 25.05.1982 instead of 25.12.1982. The wrong date of his birth was also entered in the petitioner's transfer certificate issued by the Government High School, GKM Colony, Chennai - 600 082 and the transfer certificate issued by Sir Theagaraya Evening College, Chennai - 600 021. The petitioner intends to apply for selection of recruitment to the post of Sub Inspectors of Police (Taluk) and participated in the proceedings conducted by the Tamilnadu Uniformed Services Recruitment Board.

5.Now, the petitioner is requesting the authorities, namely, School and College Authorities to correct the date of birth in the transfer certificate and in this regard the representation is pending.

6.In the light of the above, without going into the merits of the petitioner's claim, there will be a direction to the petitioner to submit a fresh representation along with the copy of this order to all the below mentioned authorities and further, there will be a direction to the 3rd respondent and to Sir Theagaraya Evening College,

Chennai - 600 021 to consider the representation and submit appropriate proposal to the Directorate of School Education as well as the Director of Government Examinations and Director of Collegiate Education for effecting the change of date of birth in the petitioner's transfer certificate and the mark statement. On receipt of the appropriate proposal, the Directorate of School Education as well as the Director of Government Examinations and Director of Collegiate Education shall consider the petitioner's request in accordance with law within a period of four weeks from the date on which the proposal is received from the Headmaster, Government High School, GKM Colony, Chennai - 600 082 and the Principal, Sir Theagaraya Evening College, Chennai - 600 021.

7. Since the petitioner has not impleaded the Director of Collegiate Education and the Director of Government Examinations and the Principal, Sir Theagaraya Evening College, Chennai - 600 021, Registry is directed to mark a copy of the order to those authorities.

With the above direction, this Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ssd

To

1. The Director of School Education,
Nungambakkam, Chennai - 600 006
2. The Headmaster,
Government Adi Dravidar Welfare
Boys Higher Secondary School,
Kannigapuram, Chennai - 600 012
3. The Headmaster,
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4. The Headmaster,
SVM Primary school,
(Aided by Govt., of T.N.)
Kolathur, Chennai - 99
5. The Director of Collegiate Education,
Chennai.
6. The Director of Government Examinations,
Chennai.
7. The Principal,
Sir Theagaraya Evening College,
Chennai - 600 021

1 CC to Mr.A.K.Manojkumar, Advocate, SR.No. 17614

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KK (CO)
PSI (10.04.2015)



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