

THE HON'BLE SRI JUSTICE A.V. SETHA SAI

WRIT PETITION No.25086 of 2015

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue writ of Mandamus to declare the action of the respondents herein in not disposing off the representation made by the petitioner dated 22-06-2015 which is made in continuation of the representations dated 25-11-2014 and 28-12-2014 for correction of Date of Birth in Secondary School Certificate of the petitioner from 01-01-1958 to 26-11-1959 as illegal, arbitrary and opposed to the established principles of law and consequently direct the respondents herein to dispose of the representation of the petitioner immediately.”

Heard Sri K. Pallavi, learned counsel for the petitioner and learned Government Pleader for Education for respondents, apart from perusing the material available before this Court.

According to the petitioner, he is presently working as General Manager Operations in a private limited company in Nellore and his date of birth as per S.S.C. certificate is mentioned as 01-01-1958 and according to the petitioner his correct date of birth is 26-11-1959. It is further submitted that for correction of date of birth in S.S.C. certificate petitioner herein made a representation to the Director of Government Examinations, School Education, Hyderabad – 2nd respondent herein on 22-06-2015. The complaint of the petitioner herein is that no action has been taken on the said representation.

On the contrary, it is submitted by the learned Government Pleader that as per procedure contemplated under G.O.Ms.No.1263 Education Department, dated 06-05-1961 it is incumbent on the part of the petitioner herein to make necessary application through the Head of the School where the petitioner studied.

A copy of the said Government order is placed on record. On noticing the same learned counsel for the petitioner herein has requested this Court to permit the petitioner herein to make necessary application, in accordance with the said rules and necessary directions may be issued to consider the same, in accordance with law.

For the aforesaid reasons, the writ petition is disposed of, keeping it open for the petitioner herein to make necessary application for correction of date of birth in S.S.C. certificate, in accordance with the instructions issued in G.O.Ms.No.1263 Education Department, dated 06-05-1961 to the Head of the School where the petitioner studied within a period of two (2) weeks from the date of receipt of a copy of this order. If any such application is submitted in the time stipulated above the same shall be considered and appropriate action be taken, in accordance with law.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. There shall be no order as to costs.

August 17, 2015

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THE HON'BLE SRI JUSTICE A.V. SESA SAI

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