

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

W.P.No.11738 of 2015

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ORDER:
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This Writ Petition is filed under Article 226 of the Constitution of India, seeking the following relief:

“To issue a writ, order or direction more particularly one in the nature of Mandamus declaring the inaction of the Respondents 1 to 4 in not considering the request of the petitioner for correlation of Date of Birth and Surname of the petitioner in S.S.C. certificate and subsequent education records on par with the entry made in records of Guntur Municipal Corporation and the entry in first school records despite many representations and communication from the school as illegal, arbitrary, unconstitutional and consequently direct the respondents to carry out the amendment to the entry relating to date of birth and surname of the petitioner in S.S.C. records and subsequent records on par with the entry in records of Guntur Municipal Corporation and school records prior to 2004-2005 and issue corrected SSC certificate with date of birth as 25-09-1990 and surname as KAMM to enable the petitioner to make application for passport etc”.

2. The case of the petitioner is that in view of mistakes crept in the Secondary School Certificate (SSC) issued by the 3rd respondent with regard to surname and date of birth, he submitted a representation to the 5th respondent on 24.6.2014 and the same was forwarded to the concerned authorities, but no action has been taken on the same.

3. Today, when the matter is called, the learned Government Pleader has placed on record the letter dated 3.7.2015 addressed by the 5th respondent-School to the District Educational Officer, Guntur stating that the date of birth of the petitioner was recorded in the 7th Common Examination Certificate as 25.8.1990, but as per the birth certificate brought by the petitioner to the 5th respondent, his date of birth is 25.9.1990. The said letter further states that the petitioner

herein submitted an application for correction of the same and got written two letters to the office of District Educational Officer and SSC Board. It is further stated that the petitioner herein informed that he would handover the same personally. It is further stated that on the said request made by the student, covering letters pertaining to two officers were given to him.

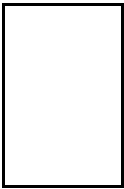
4. The learned Government Pleader has placed on record the letter No.342/TB-2/2015 dated 30.6.2015 addressed by the Commissioner of School Education, Andhra Pradesh, Hyderabad to the office of Government Pleader for School Education, High Court at Hyderabad stating that the application of the petitioner herein is not received in the office of the Commissioner till date.

5. It is stated by the learned counsel for the petitioner that the issue in the present writ petition is squarely covered by the orders of this Court in W.P.No.17793 of 2010 dated 27.7.2010.

6. In view of the above reasons, the writ petition is disposed of, permitting the petitioner herein to submit necessary application for redressal of his grievance before the 5th respondent herein, enclosing a copy of the order in W.P.No.17793 of 2010 dated 27.7.2010 within a period of one week from the date of receipt of this order and if any such application is made by the petitioner within the time stipulated, the same shall be forwarded by the 5th respondent to the concerned authorities within a period of one week thereafter and it is further directed that on receipt of the said application, the authorities concerned shall take appropriate action and pass appropriate orders, as per law, by taking into consideration the principles laid down by this Court in W.P.No.17793 of 2010 dated 27.7.2010, after giving notice and opportunity to the petitioner herein within a period of two weeks thereafter. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 7.7.2015
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Between:

Kayithi Pradeep Datta

... Petitioner

and

State of Andhra Pradesh,
Department of School Education, rep. by its
Principal Secretary, Secretariat, Hyderabad & others.

... Respondents