

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.12194 of 2016

R.Ananda Babu

... Petitioner

vs.

The Director of Government
Examination,
College Road,
DPI Campus, Chennai-6.

... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to re-issue the SSLC mark sheet to the petitioner after altering his date of birth as 3.9.1994 instead of 3.4.1994 within a short period in view of the birth certificate issued by the Corporation of Chennai.

For Petitioner : Mr.K.Sathish Kumar

For Respondent : Mr.P.Sanjay Gandhi,
Addl. Govt. Pleader.

ORDER

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

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondent to re-issue his SSLC mark sheet after altering his date of birth as 3.9.1994 instead of 3.4.1994 within a short period in view of the birth certificate issued by the Corporation of Chennai.

3. It is the case of the petitioner that he was born on 3.9.1994 at C.W.C. Pulianthope, Chennai-12 and his birth certificate was also issued by the Corporation of Chennai vide certificate No.B4846056196/2016 based on the registration No.COC/1994/03/ 041/000869/0. He studied upto X Standard at Ayanpuram Nadar Uravinmurai Sangam's W.P.A. Soundarapandian Hr. Secondary School, Ayanpuram, Chennai and at the time registration, his date of birth has been wrongly mentioned as

3.4.1994 instead of 3.9.1994. When he applied for passport, he came to know the error committed in the school records. Therefore, he personally went to the office of the respondent and requested them for altering his date of birth. However, they have not taken any steps to correct his date of birth. Hence, he made a representation dated 14.3.2016 to the respondent requesting him to alter his date of birth. But, the same was also not considered by him. Hence, left with no other alternative, the petitioner has come up with the present writ petition for the relief set out earlier.

4. I have heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who has taken notice on behalf of the respondent.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, this Court directs the petitioner to give a fresh representation by enclosing all the necessary documents to the respondent, along with a copy of this order, within a period of two weeks from the date of receipt of a copy of this order, and on receipt of the same, the respondent is directed to conduct an enquiry on the said representation and pass appropriate orders / take appropriate action, on merits and in accordance with law, within a period of six weeks thereafter. It is made clear that this Court has not expressed any opinion with regard to the claim made by the petitioner and it is for the respondent to consider the claim of the petitioner strictly on merits and in accordance with law. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

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To

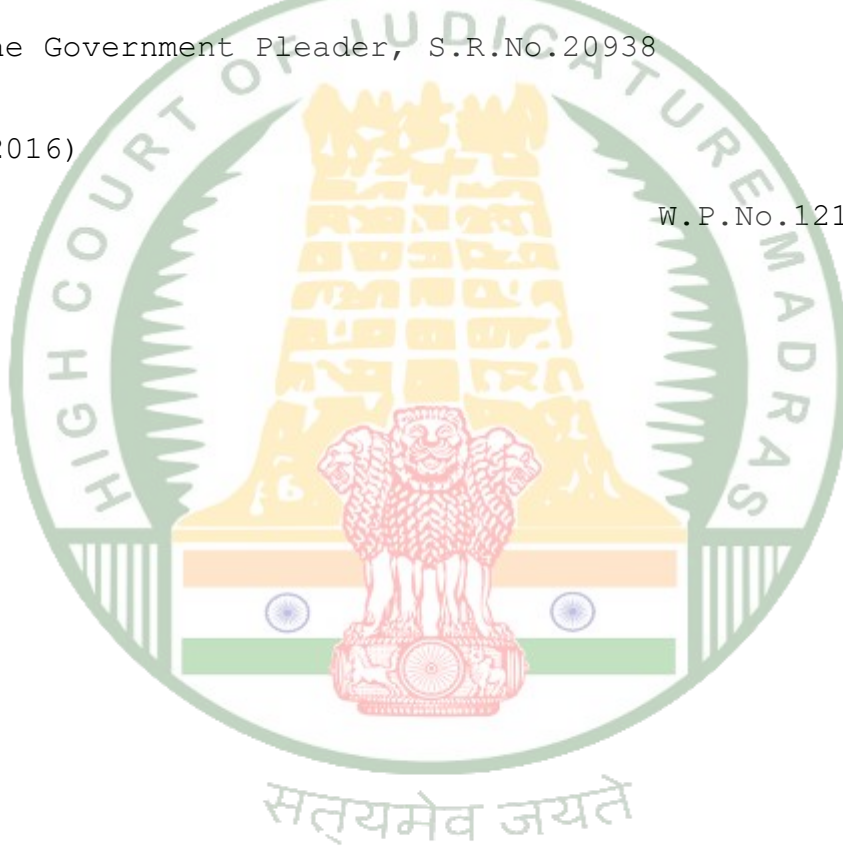
The Director of Government
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+1cc to M/s.P. Mahalakshmi, Advocate, S.R.No.21024

+1cc to the Government Pleader, S.R.No.20938

AD(CO)
EU(11/04/2016)

W.P.No.12194 of 2016



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