

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.14391 of 2016

S.Subramani

... Petitioner

Vs.

1.The Hon'ble Secretary,
Education Department,
Fort St.George, Chennai - 9.

2.The Chairman,
Board of Examinations (Tamilnadu)
Department of Technical Education,
Chennai-25.

.... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider petitioner's representation dated 14.02.2016 and consequently direct the second respondent to rectify the defects in the provisional certificate and other certificate of petitioner's son Vijay.

For Petitioner : Mr.N.Subramani

For Respondent : Mr.V.Jaya Prakash Narayanan
Special Government Pleader

O R D E R

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

2.The present writ petition has been filed seeking a Mandamus directing the respondents to consider the petitioner's representation dated 14.02.2016 and consequently, direct the second respondent to rectify the defects in the provisional certificate and other certificate of petitioner's son Vijay.

3.In the petition it has been stated that the petitioner belongs to Schedule Caste and he has changed the name of his son as Vijay from Anthonisamy and published the same in the

Government Gazette. On the strength of the Government Gazette, he has changed his son's name in the Voter Identity Card, Family Card, Community Certificate etc., and subsequently, his son joined Diploma course in Government Polytechnic during 2011.

4.It is further stated that due to family problem, he could not continue his studies and got Transfer certificate from the Government Polytechnic during 2012. In the said Transfer Certificate his son's name has been correctly mentioned as Vijay. During the year 2012, the Board of Examination issued mark sheet to his son in the name as Vijay. Subsequently, the petitioner's son joined Mechanical Engineering in the Surabi College of Polytechnic at Namakkal during June, 2013. His son completed the course with first class marks. After completion of the course, the Surabi College of Polytechnic issued Transfer Certificate to his son mentioning his name as Anthonisamy. Hence, the petitioner made several request to the respondents to rectify the defects and also submitted a representation dated 14.02.2016. But till date, no action has been taken. Hence, the petitioner has come forward with this petition.

5.Heard the submissions of the learned counsel appearing for the petitioner and the learned Special Government Pleader.

6.Considering the submissions made on either side, this Court without going into the merits of the claim made by the petitioner directs the second respondent to consider the petitioner's representation dated 14.02.2016 and pass appropriate orders, on merits and in accordance with law, after affording opportunity of personal hearing to the petitioner within a period of four weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

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Sd/-
सत्यमेव जयते

Assistant Registrar

//True Copy//

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Sub Assistant Registrar

To

1.The Hon'ble Secretary,
Education Department,
Fort St.George, Chennai - 9.

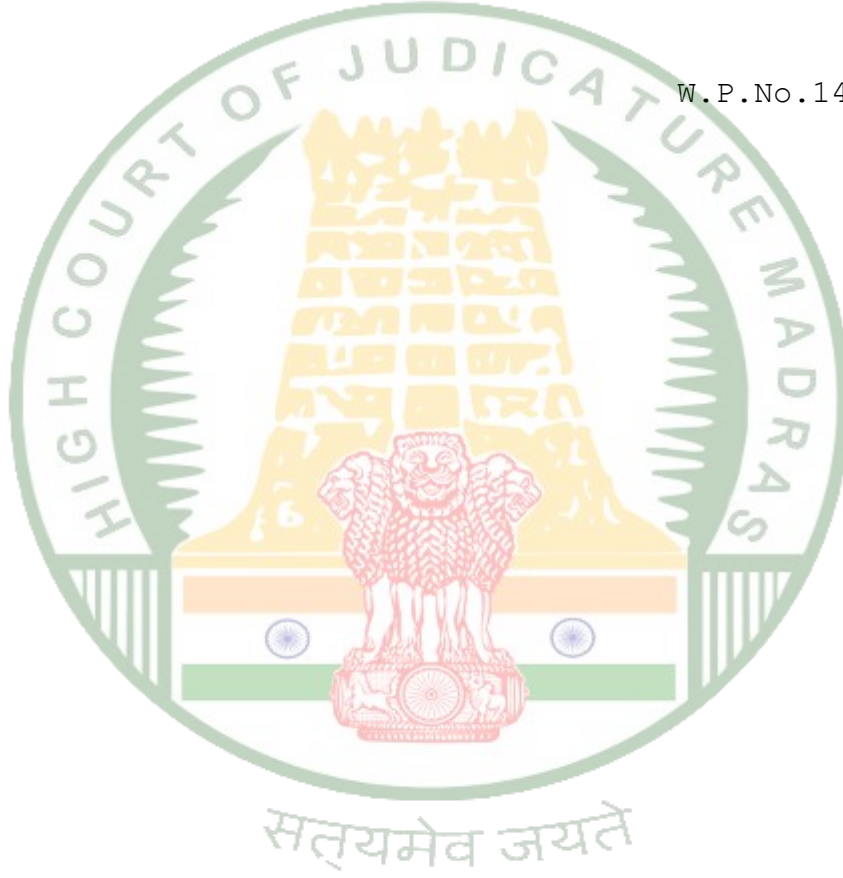
2.The Chairman,
Board of Examinations (Tamilnadu)
Department of Technical Education,
Chennai-25.

+ 1 cc to Mr.N.Subramani, Advocate S.R.No.24274

+ 1 cc to the Government Pleader, S.R.No.24569

KR/26/4/16

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