

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.16482 of 2016

P. Yuvarani

... Petitioner

Vs.

1. The Director of School Education,
Government of Tamilnadu,
Office of the Tamilnadu School
Educational Office,
Chennai 600 006.
2. The District Education Officer,
District Collector's Office,
Tiruppur.
3. The Head Master,
Palaniammal Girls Higher Secondary
School, Tiruppur 641 604.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 3rd respondent to rectify the Date of Birth in petitioner's X Standard Mark Sheet as 19.06.1991 instead of 24.4.1989 and consider the petitioner's representation/letter dated 21.1.2016 sent to the respondents within the time stipulated by this Court.

For Petitioner : Mr.M.N.Balakrishnan

For Respondents : Mr. M.E.Rani Selvam
Additional Government Pleader

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ORDER

The prayer in the Writ Petition is for issuance of a Writ of Mandamus to direct the 3rd respondent to rectify the Date of Birth in petitioner's X Standard Mark Sheet as 19.06.1991 instead of 24.4.1989 and consider the petitioner's representation/letter dated 21.1.2016 sent to the respondents within the time stipulated by this Court.

2. It is the case of the petitioner that the petitioner joined in the third respondent School for sixth standard and she completed her X standard Public Examination in the year 2007. After examination was over, the first respondent sent her Mark Statement through the third respondent, in which, the date of birth of the petitioner was wrongly mentioned as 24.4.1989 instead of 19.06.1991. Subsequently, when she went to the Employment Office to register her name for employment purpose, they refused to register the same due to the reason that the date of birth was not correct in the X Mark Statement and there is an error in the Mark Sheet. Therefore the petitioner requested the respondents 1 to 3 to correct her date of birth in the X standard Public Examination Mark Sheet.

3. It is the further case of the petitioner that she was informed by the employment office that only if the mistake crept in the mark sheet with regard to her date of birth is corrected, they will register her name in the Employment Office. Hence immediately she approached the 2nd respondent to rectify the date of birth in the Mark Sheet through her letter dated 4.9.2014, but the 2nd respondent, through his letter dated 25.10.2014, advised her to obtain a court order for the change of her date of birth in her mark sheet. Hence, left with no other alternative, the petitioner has filed the present Writ Petition.

4. I have heard the submissions made on either side and perused the materials available in typed set of papers.

5. Considering the submissions made on either side, this Court is of the opinion that since the petitioner has made a request for changing the date of birth in her mark sheet, it is appropriate to direct the third respondent to consider the request of the petitioner with regard to the change of her date of birth in her X th Mark sheet on production of birth certificate issued by the concerned authority.

6. Accordingly, the petitioner is directed to give a fresh representation to the third respondent viz., the Head Master, Palaniammal Girls Higher Secondary School, Tiruppur along with her birth certificate issued by the competent authority within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the third respondent is directed to forward the same to the 1st respondent viz., Director of School Education, who shall conduct enquiry, by affording an opportunity of personal hearing to the petitioner and pass appropriate orders strictly on merits on the said representation within a period of eight weeks thereafter.

7. The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

msr

Copy to

1. The Director of School Education,
Government of Tamilnadu,
Office of the Tamilnadu School
Educational Office,
Chennai 600 006.
2. The District Education Officer,
District Collector's Office,
Tiruppur.
3. The Head Master,
Palaniammal Girls Higher Secondary School,
Tiruppur 641 604.

+1cc to Mr.M.N.Balakrishnan, Advocate, S.R.No.27277
+1cc to the Government Pleader, S.R.No.28036

W.P.No.16482 of 2016

PA(CO)
CA(03/05/2016)

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