

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.08.2016

CORAM:

THE HON'BLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.34004 of 2015

M.G.Gopalan

... Petitioner

Vs.

- 1.The Director of Government Examinations,
Board of Secondary Education,
D.P.I. Campus,
College Road,
Chennai - 600 006.
- 2.The Director of School Education,
Directorate of School Education,
D.P.I. Campus,
College Road,
Chennai - 600 006.
- 3.The District Education Officer (South)
Dr.Ambedkar Government Higher
Secondary School Building,
Gandhi Irwin Road, Egmore,
Chennai - 600 008.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, calling for the entire records relating to the order made in Na.Ka.No.025370/B7(2)/2015 dated 11.09.2015 on the file of the first respondent and quash the same and consequently direct the respondents to correct the date of birth of the petitioner as 06.09.1958 instead of 05.01.1958 in the SSLC Mark Sheet issued by the first respondent dated 18.05.1976 vide Register No.8902.

For Petitioner : Mr.C.Munusamy

For Respondents: Mr.R.Govindasamy,
Special Government Pleader.

O R D E R

The petitioner would claim that he was born on 06.09.1958 and whereas in the Secondary School Leaving Certificate, his date of birth has been entered as 05.01.1958 and the same mistake has been carried in the S.S.L.C. Mark Sheet and

however, correct date of birth has been entered in B.Com. Degree Mark Sheet and in this regard, on an earlier occasion, submitted a representation to the respondents 2 and 3 and since it was not disposed of, filed W.P.No.13735 of 2015 and this Court, vide order dated 30.04.2015, had directed the first respondent to consider and dispose of the petitioner's representation dated 20.03.2015 on merits and in accordance with law. Accordingly, the first respondent has disposed of the representation, vide impugned proceedings dated 11.09.2015 stating that the power is vested with the Director of School Education.

2. The learned counsel appearing for the petitioner would submit that though the third respondent made a positive recommendation to the first respondent, it has not been considered in proper perspective and prays for appropriate orders.

3. Per contra, Mr.R.Govindasamy, learned Special Government Pleader appearing for the respondents has drawn the attention of this Court to the counter affidavit and would submit that the power is vested with the Director of School Education and therefore, the petitioner may approach the said official.

4. This Court, in the light of the above facts and circumstances, permits the petitioner to submit a representation to the first respondent along with true copies of the document in support of his claim, within a period of two weeks from the date of receipt of a copy of this order and the first respondent, on receipt of the same, is directed to consider the said representation in accordance with law and pass orders within a further period of six weeks thereafter and communicate the decision taken, to the petitioner.

This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is dismissed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

vsm

To

1.The Director of Government Examinations,
Board of Secondary Education,
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College Road,
Chennai - 600 006.

2.The Director of School Education,
Directorate of School Education,
D.P.I. Campus,
College Road,
Chennai - 600 006.

3.The District Education Officer (South)
Dr.Ambedkar Government Higher
Secondary School Building,
Gandhi Irwin Road, Egmore,
Chennai - 600 008.

+1cc to Mr.C. Munusamy, Advocate, S.R.No.47233

EV(CO)
EU(02/09/2016)

Writ Petition No.34004 of 2015

सत्यमेव जयते

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