

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2016

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. No.44137 of 2016

K.M. Muraleedharan

...Petitioner

Vs.

1. The Registrar
Madras University
Chennai - 600 005.
2. The Director of School Education
College Road,
Chennai - 600 006.
3. The Headmaster
Kerala Vidyalaya Higher
Secondary School
903 Poonamallee High Road
Chennai 600 006.
4. The Principal
MES Razeena Matriculation Higher
Secondary School
5, Prof. Subramaniam Street
Kilpauk, Chennai- 10.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct all the respondents herein more particularly the 1st and 2nd respondents to suitably correct the date of birth of petitioner's eldest son I.K. Abhijith born on 25.7.1992 in all the educational records (instead of the prevailing wrong entry of date of birth as 25.05.1992) with reference to the basic records of birth issued by the Registrar, Birth and Death, Perambra Panchayat dated 29.7.1992 dated 20.8.2016, Government of Kerala; consequently for corrections in all the connected records as 25.7.1992 only in SSLC, Plus 2, in the BBA & MBA Certificates instead of the prevailing wrong entry of date of birth (as 25.5.1992) in the educational certificates and for further orders.

For Petitioner : Mr.A.L. Namasivayam

For Respondents : Ms. G. Thilagavathi for R1
Mr. V. Anandhamoorthy for R2

O R D E R

Ms. G. Thilagavathi and Mr. V. Anandhamoorthy, learned counsel accepts notice on behalf of the first and second respondents, respectively. With the consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

2. The petitioner has come up with the present writ petition, praying to direct all the respondents herein, more particularly the 1st and 2nd respondents, to suitably correct the date of birth of petitioner's eldest son I.K. Abhijith, as 25.7.1992, in all the educational records, instead of the prevailing entry of date of birth as 25.05.1992, based on the basic records of birth dated 29.7.1992 and 20.8.2016, issued by the Registrar, Birth and Death, Perambra Panchayat, Government of Kerala; and for the consequential corrections.

3. Learned counsel for the petitioner submitted that the date of birth of his elder son I.K. Abhijith has been wrongly entered in all his educational certificates as 25.05.1992, instead of 25.07.1992 as entered in his birth certificate. The same was noticed by the petitioner only while applying for a passport for his son. Hence, he made a representation to the first and second respondents, along with copies of supportive documents. However, the respondents instructed the petitioner to apply through the school authorities and forward the same, through the Inspector of Schools to carry out the necessary corrections. Again the petitioner submitted his representation dated 03.11.2016, along with the copy of the representation of his son and other documents to all the respondents herein, praying to correct his son's date of birth and the same is still pending. In the meanwhile, the petitioner came to understand that in a similar case, this Court has passed orders on 21.05.2015 in W.P. No. 14968 of 2015, directing the Director of School Education to consider and pass orders. Therefore, the petitioner has filed the present writ petition seeking for the aforesaid prayer.

4. Learned counsel for the respondents 1 and 2 submitted that the respondents may be directed to dispose of the representation of the petitioner dated 03.11.2016, in accordance with law.

5. Taking into consideration the submission made by the learned counsel for the petitioner and the learned counsel for respondents, the 1st and 2nd respondents are directed to consider the representation of the petitioner dated 03.11.2016 and pass orders on merits, in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of, accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

avr

To

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5, Prof. Subramaniam Street
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+2cc to Mr.Namasivayam, Advocate, S.R.No.73163
+1cc to the Government Pleader, S.R.No.76380

AK(CO)
RS(30/01/2017)

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