



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:04.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition(MD)No.21224 of 2016

C.Sudharshan

... Petitioner

Vs.

1.The Secretary,
Board of Higher Secondary Education,
Department of Government Examinations,
Madras-6.

2.The Secretary,
Board of Secondary Education,
Department of Government Examinations,
Madras-6.

3.The Director of School Education,
College Road, Chennai.

4.The District Educational Officer,
Madurai Educational District,
Madurai District.

5.The Correspondent,
Arulmalar Matriculation Higher Secondary School,
K.K.Nagar,
Madurai District - 629 165.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents 1 to 4 to consider the petitioner's representation, dated 20.09.2016 to rectify the petitioner's date of birth as 04.11.1993 instead of 06.11.1993 in the educational certificates.

For Petitioner
For R-1 to R-4

: Mr.R.Saravanan
: Mr.J.Gunaseelan Muthaiah,
Government Advocate

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents 1 to 4.

2. By consent, the Writ Petition itself is taken up for final disposal.

3. The petitioner has filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the respondents 1 to 4 to consider the petitioner's representation, dated 20.09.2016, to rectify the petitioner's date of birth as 04.11.1993 instead of 06.11.1993 in the educational certificates.

4. According to the petitioner, he was born on 04.11.1993 and his birth was also registered before the Authorities. But, at the time of joining school, his date of birth was wrongly given as 06.11.1993 in the school certificate. Now, he completed +2 course and doing his Master Degree.

5. In view of the discrepancy found in the school certificate, the petitioner made a representation 20.09.2016 before the respondents to correct the date of birth in the school certificate. The said representation is still pending without any disposal. Hence, he has filed this Writ Petition.

6. The learned counsel appearing for the petitioner placed reliance on the orders passed by this Court in W.P(MD)No.9340 of 2009, dated 18.09.2012 stating that even after completion of school education, the Authorities has the power to correct the date of birth in the school certificate, based on the birth certificate issued by a competent Authority.

7. Considering the fact that the petitioner's representation, dated 20.09.2016, is pending with the respondents particularly with the third respondent, the third respondent is directed to consider the said representation and pass suitable orders on the same on merits and in accordance with law, in the light of the order passed by this Court in W.P(MD)No.9340 of 2009, dated 18.09.2012. Such exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar(Records)

/True Copy/



To

1.The Secretary, Board of Higher Secondary Education,
Department of Government Examinations,
Madras-6.

2.The Secretary,
Board of Secondary Education,
Department of Government Examinations,
Madras-6.

3.The Director of School Education,
College Road, Chennai.

4.The District Educational Officer,
Madurai Educational District,
Madurai District.

+1 cc to MR.R.SARAVANAN, Advocate SR.NO.65789

+1 cc to Special Government Pleader SR.No.66006

W.P (MD) No.21224 of 2016
04.11.2016

SMA/CK/15.11.2016:3P/7C