

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14-06-2017

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.7966 of 2017

P.Pavithra

...

Petitioner

-Vs-

1. The Joint Secretary / Regional Officer  
Central Board of Secondary Education,  
Regional Office,  
New No.3, Old No.1630-A 'J' Block,  
16th Main Road, Anna Nagar West,  
Chennai 600 040

2. The Principal  
Velammal Vidyalaya  
Mel Ayanambakkam Road,  
Mel Ayanambakkam,  
Chennai 600 095

...

Respondents

Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the order passed by the first respondent in Letter No.CBSE/RO(M)/CORRN/REJECTION/2017/6929 dated 10.03.2017 and quash the same and further direct the respondents to correct the parents name of the petitioner as B.Prem Kumar and P.Bommi in the 10th Standard mark statement of the petitioner in Roll No.4109447 of AISSE 2014.

For Petitioner : Mr.S.Parthasarathy

For Respondent-1 : Mr.G.Nagarajan

For Respondent-2 : Mr.N.Rajasenthoo Pandian

O R D E R

The petitioner has filed a writ of certiorarified mandamus calling for the records relating to the order passed by the first respondent in letter No.CBSE /RO(M)/ CORRN /REJECTION / 2017/6929 dated 10.03.2017 and quash the same and for direction

to correct the parents name of the petitioner as B.Prem Kumar and P.Bommi in the 10th Standard mark statement of the petitioner in Roll No.4109447 of AISSE 2014.

2. The petitioner was born on 18.06.1998 to B.Prem Kumar and P.Bommi. The parents of the petitioner died in a rail accident. After their death, the uncle and aunt of the petitioner, namely, G.Chandran and C.Manjula were taking care of her and they had admitted her in the second respondent-School. A guardian O.P was filed in O.P.No.1 of 2000 before the Principal District Judge, Chengalpattu to appoint the grandmother as guardian and she was appointed as guardian on 05.06.2002. After her death, the petitioner was under the care and custody of her uncle. It is stated that only when the 10th standard mark sheet was issued on 19.06.2014, it is found that the petitioner's parents name was wrongly mentioned as C.Manjula and G.Chandran instead of B.Prem Kumar and P.Bommi. Therefore, the petitioner sought for correction of the parents names, which was rejected on the ground that the same is belated. Challenging the same, the Writ Petition is now filed.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

3. A perusal of the records shows that the parents are only B.Prem Kumar and P.Bommi and the same is also admitted. The appointment of guardian by the Court goes to show that the parents were no more and the petitioner has a tough life being shuffled among the guardians. The learned counsel for the petitioner pointed out that the names of the parents are found in the application form correctly, but whereas, in the 10th standard School Certificate, the names of her uncle and aunt had crept in. The petitioner is only seeking to correct her parents name in the 10th Standard School certificate, for which nobody can have any dispute. Admittedly, it is only a mistake that has crept in, in the mark sheet which may be corrected by the first respondent.

4. In view of this matter, the rejection by the first respondent as belated does not arise for consideration and the petitioner is only seeking to correct the name of her parents as per the school records as given in the application form. Hence, the impugned order passed by the first respondent is set aside and the Writ Petition is allowed. Accordingly, a direction is issued to the respondent-concerned to correct the name of the parents in the 10th standard certificate issued to the petitioner on 19.06.2014 within a period of four weeks from the date of receipt of a copy of this order. The petitioner is

directed to surrender the original 10th standard certificate for necessary correction. No costs.

Sd/-  
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

srn

To

1. The Joint Secretary / Regional Officer  
Central Board of Secondary Education,  
Regional Office,  
New No.3, Old No.1630-A 'J' Block,  
16th Main Road, Anna Nagar West,  
Chennai 600 040
2. The Principal  
Velammal Vidyalaya  
Mel Ayanambakkam Road,  
Mel Ayanambakkam,  
Chennai 600 095

+1cc to M/S.S.Partha Sarathy, Advocate Sr. 41921  
+1cc to Mr.G.Nagarajan, Advocate Sr. 41986

W.P.No.7966 of 2017

AP (CO)  
VR(28/06/2017)

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