

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2017

CORAM :
THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P No.21270 of 2017
and
WMP No.22173 of 2017

G.Santhru alias G.E.Chandrasekar (Minor 17 years)
Rep. by his father and natural guardian
G.Gobiraj ... Petitioner

Vs

1. The Central Board of Secondary Education
Regional Office - by its Regional Officer,
No.1630-A, "J" Block, 16th Street,
Anna Nagar West,
Chennai-600 040.
2. The Principal,
Kendriya Vidyalaya-II
Air Force Station - Madambakkam Camp
Selaiyur, Chennai-600 073. Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India for issuance of writ of Certiorarified Mandamus, to call for all the records relating to the impugned communication RO(M)/CORRN/REJ/2017/9255 dated 26.05.2017 issued by the Regional officer, office of the Central Board of Secondary Education, Chennai the first respondent herein and quash the same and consequently direct the first respondent to incorporate the change of name of the petitioner from G.Santhru to G.E.Chandrasekar, in all the records of the petitioner.

For Petitioner : Mr.J.Thilagaraj
For Respondents : Mr.G.Nagarajan (for R1)
Mr.M.Vaidyanathan (for R2)

O R D E R

The petitioner is at present studying in 12th standard in the 2nd respondent school. His original name is G.Santhru. Thereafter, it has been changed to G.E.Chandrasekar from

14.10.2015 onwards. In this regard, the petitioner made Government Gazette publication on 14.10.2015. Having made correction and published in Gazette notification, the petitioner gave representation to the second respondent to effect changes in the school records on 05.08.2016. The school has forwarded the same to the first respondent for correction which has been rejected on 26.05.2017 stating that as per clause 69.1 (ii) amended Exam Bye-laws of the board dated 25.06.2015, by which the application for change of name should be admitted by the court of law or to be Gazetted before the date of declaration of the result of the candidate. The said order is being challenged before this court.

2. Heard Mr.J.Thilagaraj, learned Counsel appearing for the petitioner, Mr.G.Nagarajan, learned counsel appearing for the first respondent and Mr.M.Vaidyanathan learned counsel appearing for the second respondent.

3. It is seen that the petitioner's name was originally G.Santhru and it has been Changed as G.E.Chandrasekar on 14.10.2015, on which date the petitioner also effected Gazette publication intimating his change of name. The petitioner made a representation on 29.10.2015 even before he could write the 10th examination in March 2016.

4. However, the second respondent school did not forward the petitioner's representation to the first respondent to make corrections in the mark sheet of the petitioner. Only the second representation of the petitioner dated 05.08.2016 was forwarded by the second respondent to the first respondent. Therefore it is evident that there is a failure on the part of second respondent school in forwarding the petitioner's application for change of name before the 10th examination conducted in March 2016, in consonance with clause 69.1 (ii) of amended Exam Bye-laws of the Board dated 25.06.2015. There is no failure on the part of the petitioner as his application was in time. For the failure of the second respondent, the petitioner could not be prejudiced and therefore, the order of the first respondent is set aside and the first respondent is directed to make corrections as prayed for by the petitioner regarding his name.

5. The petitioner is directed to make an application along with 10th standard certificate in which correction is required along with required fees to the first respondent. On such receipt of the said representation, the first respondent shall make corrections in the certificate and issue the same to the petitioner, within a period of two weeks thereof.

6. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition stands closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mm/sai
To

1. The Central Board of Secondary Education
Regional Office - by its Regional Officer,
No.1630-A, "J" Block, 16th Street,
Anna Nagar West,
Chennai-600 040.

2. The Principal,
Kendriya Vidyalaya-II
Air Force Station - Madambakkam Camp
Selaiyur, Chennai-600 073.

+3cc to Mr.J.Thilagaraj, Advocate sr.59672

+1cc to Mr.G.Nagarajan, Advocate sr.60148

+1cc to Mr.M.Vaidyanathan, Advocate sr.60795

W.P No.21270 of 2017

ss(4/10/2017)

सत्यमेव जयते

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