

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15-03-2017

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P No.22035 of 2015

S.Dhanalakshmi

... Petitioner

Vs

1. The Director of Government Examinations,
DPI, College Road,
Chennai - 600 006.

2. The Head Master
Government Higher Secondary School,
Poondi,
Thiruvallur District 602 023.

... Respondents

Writ petition is filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to correct the date of birth as per the birth certificate issued by the Corporation of Chennai, i.e. From 18.04.1992 to 18.04.1997 in the petitioner's son school records including the transfer certificate, SSLC and Plus 2 mark sheets within the time fixed by this court.

For Petitioner : Mr.R.Jeevanesan

For Respondents : Mr.P.Sanjay Gandhi
Additional Government Pleader

O R D E R

The petitioner has approached this Court seeking writ of mandamus directing the respondent to correct the date of birth of the petitioner's son as 18.04.1997, as per the birth certificate issued by the Corporation of Chennai, instead of 18.04.1992 which was wrongly entered by the School authorities.

2. Heard the parties and perused the records.

3. It is seen from the records, especially the birth certificate issued by the Corporation of Chennai that the date of birth of the petitioner's son was shown as 18.04.1997. However, a line was crossed on 7 to look as if it is 1992. Therefore, the school authorities should have wrongly construed the date of birth as 18.04.1992 instead of 18.04.1997. It is very clear that the birth certificate bearing B & D No.17180/97 was issued by the Corporation of Chennai on 13.06.1997. Further, in para 14 of the counter filed by the 2nd respondent School, it has been categorically admitted that by mistake, the date of birth of the petitioner's son has been shown as 18.04.1992 as against the correct date of birth, i.e. 18.04.1997. The relevant para 14 of the counter filed by the 2nd respondent is usefully extracted as follows -

14. It is further submitted that in the Birth certificate issued by the Corporation of Chennai bearing No.B & D No.17180/97 dated 13.06.1997, it is noted that the date of birth was entered as 18.04.1997. Hence, it is observed that in the birth certificate dated 13.06.1997 issued by the Chennai Corporation, the details have been entered by handwriting and hence at the time of admission in the school, the year was read as 1992 instead as one small 'line' was made across the number 7, i.e. like 7. Therefore, the mistake in understanding the year of birth, i.e. Instead of 1997, it was mistakenly understood as 1992 and the same was mistakenly continued in all the school records.

4. Since the 2nd respondent themselves have admitted the mistake committed by the school authorities and it is also very clear from the birth certificate issued by the Corporation of Chennai that the actual date of birth of the petitioner's son is only 18.04.1997, the respondents are directed to correct the date of birth of the petitioner's son as 18.04.1997 instead of 18.04.1992 in the school records, including the transfer certificate, SSLC and Plus 2 mark sheets, within a period of eight (8) weeks from the date of receipt of a copy of this order.

5. The above order is passed in a peculiar circumstances of the case as it is evident from the birth certificate issued by the Corporation of Chennai that the mistake has been committed by the 2nd respondent School which has been admitted by them in the counter. Therefore, this order cannot be treated as a precedent in any other circumstances.

5. In the result, the writ petition is allowed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rgr

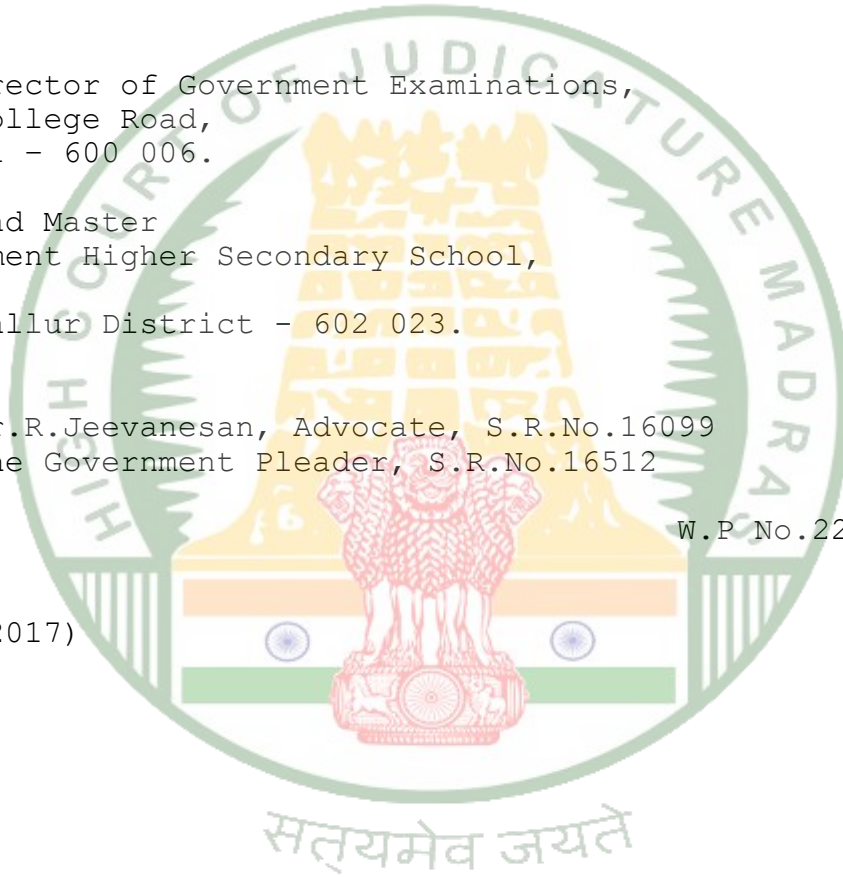
To

1. The Director of Government Examinations,
DPI, College Road,
Chennai - 600 006.
2. The Head Master
Government Higher Secondary School,
Poondi,
Thiruvallur District - 602 023.

+1cc to Mr.R.Jeevanesan, Advocate, S.R.No.16099
+1cc to the Government Pleader, S.R.No.16512

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MSM(CO)
CA(10/04/2017)



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