

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05-07-2017

CORAM :
THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P No.25724 of 2015

R.Mrinalini

... Petitioner

Vs

- 1.The Secretary,
State Board of School Education,
(Higher Secondary)
College Road, Nungambakkam, Chennai 600 026
 - 2.The Secretary,
State Matriculation and Anglo Indian Examination Board,
DPI Campus,
Chennai 600 006.
 - 3.The Principal,
Zion Matriculation Higher Secondary School,
Natraj Nagar, Selaiyur (PO)
Chennai 600 073
 - 4.The Director,
Directorate of School Education,
DPI Campus, Chennai-600 006.
(suo motu impleaded as 4th respondent
by order of Court dated 05.07.2017)
- ... Respondents

Writ petition is filed under Article 226 of the Constitution of India for issuance of writ of mandamus to direct the respondents to correct the entry of date of birth of the petitioner in the Higher Secondary Course Certificate bearing No.HSG7129268 issued by the first respondent, correct the entry of date of birth of the Petitioner in the Matriculation School Leaving Certificate namely the mark statement certificate bearing No.MAT0405626 and the Transfer Certificate bearing No.:11764 issued by the third respondent as 02.10.1994 according to the birth certificate issued by Corporation of Chennai.

For Petitioner : Mr.V.Meenakshisundaram

For Respondents : Mr.V.Anandhamoorthy
Additional Government Pleader
(for R1, R2 and R4)

O R D E R

Since the Director of School Education is the appropriate authority who has got jurisdiction to change the date of birth, it is appropriate to implead the Director, Directorate of School Education, DPI campus, Chennai 6, as 4th respondent. Mr.V.Anandhamoorthy, takes notice on behalf of the 4th respondent.

2. The petitioner studied in the 3rd respondent/School and completed +2. She is undergoing Engineering course. Her actual date of birth is 02.10.1994, as revealed by the birth certificate issued by the Corporation of Chennai. However, by mistake in the School records it has been entered as 01.10.1994 instead of 02.10.1994. After knowing the discrepancies, the petitioner gave representation to the respondent 1 to 3 to change the date of birth from 01.10.1994 to 02.10.1994. Since, the representation has not been considered or the date of birth was not changed as per her request, the petitioner has come before this Court.

3. Heard Mr.V.Meenakshisundaram, learned Counsel appearing for the petitioner and Mr.V.Anandhamoorthy, learned Additional Government Pleader.

4. A perusal of the records would reveal that the petitioner has born on 02.10.1994, which happens to be the birth day of the Father of our Nation, probably the petitioner wants to have the same date of birth as she was born on that day. The birth certificate is also in consonance with the claim made by the petitioner. Therefore, the petitioner is directed to file fresh application along with the required documents evidencing her date of birth as 02.10.1994 to the 4th respondent who is the competent authority. The 4th respondent shall conduct an enquiry and pass appropriate orders as per law within four weeks from the date of receipt of the application submitted by the petitioner. This Writ Petition is ordered accordingly.

5. This order shall not be treated as precedent, as the petitioner is seeking to rectify the mistake in the date of birth and the mistake is only one day.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary,
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(Higher Secondary)
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Chennai 600 026
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- 4.The Director,
Directorate of School Education,
DPI Campus, Chennai-600 006.

+1cc to M/s.V.Meenakshisundaram, Advocate, S.R.No.46633

+1cc to the Government Pleader, S.R.No.46895

W.P No.25724 of 2015

GJ II(CO)
CU(24/08/2017)