

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2017

CORAM

THE HONOURABLE MR.JUSTICE N. KIRUBAKARAN

W.P. No. 28782 of 2017

Ms. Rhea Surana Miss.RHEA SURANA (Minor)
Rep by her Father and Natural Guardian
Lalith Surana

[PETITIONER]

Vs.

The Regional Officer,
The Central Board of Secondary Education,
Regional Office, New No.3,
Old No. 130-A, 'J' Block,
16th Main Road, Anna Nagar (West),
Chennai - 600 040.

..Respondent

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Certiorarified Mandamus to call for the records and to quash the respondent's letter dated 24.08.2017, RO(M)/CORRN/REJ/2017/9865 and further direct the respondent to correct the date of birth as 06.05.2001, by deleting the wrong date of birth, in the 10th certificate dated 28.05.2016, having Roll No. 4006676, bearing No. SSE/2016 1026672 issued by the Controller of Examinations, the Secondary School Leaving Examination, Central Board of Secondary Education, New Delhi, and all other records maintained by the respondent.

For Petitioner :: Mr.Nanchill J. Rajkumar

For Respondents:: Mr.G. Nagarajan

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O R D E R

The writ petition is filed for issue of a Writ of Certiorarified Mandamus to call for the records and to quash the respondent's letter dated 24.08.2017, RO(M)/CORRN/REJ/2017/9865 and further direct the respondent to correct the date of birth as 06.05.2001, by deleting the wrong date of birth, in the 10th certificate dated 28.05.2016, having Roll No. 4006676, bearing

No. SSE/2016 1026672 issued by the Controller of Examinations, the Secondary School Leaving Examination, Central Board of Secondary Education, New Delhi, and all other records maintained by the respondent.

2. The petitioner's daughter's date of birth is 06.05.2001. However, by mistake, inspite of correct information given by the petitioner to the school, namely, DAV Girls Higher Secondary School, Lloyd's Road, Chennai, the staff of the school had wrongly noted the date of birth of his daughter in the school records as 06.05.2000 and the same is also reflected in the X mark sheet of the petitioner's daughter. The petitioner's daughter completed her X standard in May, 2016 and presently, she is studying in XII standard. Only after the issuance of X mark sheet, the petitioner's daughter came to know about the wrong date of birth noted in the mark sheet. Therefore, the petitioner approached the respondent for correcting the date of birth and the same was rejected by the impugned order stating that there was delay in representing the case.

3. Heard Mr. Nanchill J. Rajkumar, learned counsel for the petitioner and Mr.G. Nagarajan, learned counsel for the respondent.

4. The fact that the petitioner's daughter's date of birth is 06.05.2001 is proved by the birth certificate issued by the Commissioner of Villupuram Municipality. When that is the position, the date of birth of the petitioner's daughter, reflected in her X marksheet, as 06.05.2000, is wrong and the same is required to be corrected. The delay pleaded by the respondent for rejecting the petitioner's claim is unwarranted since as per the regulations, the petitioner has got about 5 years time from the date of issuance of X mark sheet to make correction and the petitioner's daughter got the mark sheet only in May, 2016. therefore, the application made to the respondent seeking rectification of the date of birth is well within time and the respondent is directed to correct the date of birth of the petitioner's daughter, in her X marksheet as 06.05.2001 instead of 06.05.2000 and issue a fresh marksheet within a period of three weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

nv

+ 1 cc to Mr.G. Nagarajan Advocate,SR.85042

+ 1 cc to Mr.Nanchill J. Rajkumar Advocate,SR.84713

W.P. No. 28782 of 2017

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