

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:28.11.2017

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P.No.28919 of 2017

and

W.M.P.No.31136 of 2017

Sai Saran Reddy

Aged about 16 years

Represented by father and natural guardian

Mr.Kotam Reddy Giridhar Reddy

... Petitioner

Vs

1.Central Board of Secondary Education,
Union Ministry of Human Resource Development,
Regional Office,
New No-3, Old No.1630-A, "J" Block, 16th Main Road,
Anna Nagar West, Chennai - 600 040.
Represented by its Section Officer.

2.Central Board of Secondary Education,
Shiksha Kendra,
2 Community Centre,
Preet Vihar,
New Delhi - 110 301.

3.The Principal,
Lawrence School,
Lovedale, Ootacamund,
Nilgiris District - 643 003.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the order of the 1st respondent in proceedings CBSE/RO(M)/CORR/REJECTION/2017/9852 dated 24.08.2017 and quash the same and consequently direct the 1st respondent to effect the change of name of the Petitioner as "Kotam Reddy Sai Saran Reddy" instead of "Kotam Reddy Sai Saran" in the records of the 1st Respondent.

For Petitioner : Mr.P.J.Rishikesh
For Respondents : Mr.G.Nagarajan,
Standing Counsel.

O R D E R

The petitioner has come up with the present writ petition challenging the order of the first respondent dated 24.08.2017 by which the petitioner's request for correction of his name in the Grade Sheet cum Certificate of Performance was rejected as the same is not found to be in consonance with the school records and consequently direct the 1st respondent to effect the change of name of the Petitioner as "Kotam Reddy Sai Saran Reddy" instead of "Kotam Reddy Sai Saran" in the records of the 1st Respondent.

2.The learned counsel appearing for the petitioner would submit that the petitioner's name is Kotam Reddy Sai Saran Reddy and he was born on 08.01.2001 at Andhra Pradesh. The petitioner was admitted in Lawrence School in the year 2011 and completed his 10th std exams in the year 2016, pursuant to which the CBSE issued Grade Sheet cum Certificate of Performance on 28.05.2016. However, in the Grade Sheet cum Certificate of Performance issued by the first respondent, the name of the petitioner reflected as "Kotam Reddy Sai Saran" instead of "Kotam Reddy Sai Saran Reddy". After noting the discrepancy in the Grade Sheet cum Certificate of Performance on 16.05.2017, the petitioner applied to the third respondent school for rectification of the said mistake found in the Grade Sheet cum Certificate of Performance. The third respondent in turn forwarded the said request to the first respondent. However, the said request made by the petitioner came to be rejected on the ground that the same is not found to be in consonance with the school records.

3.Heard Mr.P.J.Rishikesh, learned counsel appearing for the petitioner and Mr.G.Nagarajan, learned standing counsel appearing for the respondents 1 and 2.

4.It is seen from the records, especially the Birth Certificate issued by the Municipal Corporation of Hyderabad and also the documents such as Passport and Aadhar that the name of the petitioner is "Kotam Reddy Sai Saran Reddy". When that being so, even if there is any discrepancy in the school records, it could only be due to inadvertence and the same cannot be taken as a ground to reject the request of the petitioner to correct his name as "Kotam Reddy Sai Saran Reddy" instead of "Kotam Reddy Sai Saran".

5.Further, even as per the circular issued by the CBSE dated 10.11.2017, the period of limitation for correction in candidate, Mother and Father Name/ correction in date of birth has been revised from one year to five years. Therefore, the

request of the petitioner cannot be rejected as time barred, as the same is well within the stipulated period.

6. In view of the above stated position, the impugned order suffers and the same is hereby quashed with a direction to the first respondent to make corrections in the petitioner's name as "Kotam Reddy Sai Saran Reddy" instead of "Kotam Reddy Sai Saran" in the records of the 1st Respondent and issue a fresh Grade Sheet cum Certificate of Performance to the petitioner. Further, the petitioner is directed to return the original Grade Sheet cum Certificate of Performance already issued to him by the first respondent and the petitioner is also directed to pay the necessary fees for the same. The entire exercise has to be carried out by the first respondent within a period of four weeks from the date of receipt of a copy of this order.

7. The writ petition is disposed of with the above directions. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar (CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. Central Board of Secondary Education,
Union Ministry of Human Resource Development,
Regional Office,
New No-3, Old No.1630-A, "J" Block, 16th Main Road,
Anna Nagar West, Chennai - 600 040.
Represented by its Section Officer.

2. Central Board of Secondary Education,
Shiksha Kendra,
2 Community Centre, सत्यमेव जयते
Preet Vihar,
New Delhi - 110 301.

+1cc to MR.G.Nagarajan, Advocate SR.No.84474

+1cc to Mr.P.J.Rishikesh, Advocate SR.No.84464

W.P.No.28919 of 2017

sm:28.12.2017