

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2017

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P No.18772 of 2017
and
W.M.P.No.20295 of 2017

Samir Kumar Patra

... Petitioner

Vs

1. The Chairman,
Central Board of Secondary Education,
Shiksha Kendra, No.2, Community Centre,
Preet Vihar, New Delhi-110 092.
2. The Regional Officer,
Central Board of Secondary Education,
No.3 (Old No.1630A), 'J' Block,
16th Main Road, Anna Nagar West,
Chennai-600 040.
3. The Principal,
Kendriya Vidyalaya, AF Station,
Avadi, Chennai- 600 055.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India for issuance of writ of Certiorified Mandamus, calling for the records pertaining to the order No.CBSE/RO(M)/CORR/REJECTION/2017/9770 dated 27.06.2017 passed by the 2nd respondent and communication order issued on 10.07.2017 by the 3rd respondent and quash the same consequently directing the 1st respondent to carry out corrections for factual typographical error in the Father's name by inserting "Kumar" as middle name in the existing name in the (i) "Grade Sheet cum Certificate of Performance" S.No.SSE/2014 0902685 dated 19.05.2014 (Roll No.4115754, Class X) and (ii) "All India Senior School Certificate Examination, 2016" S.No.SSCE/2016 0688040 & "Marks Statement" S.No.0908883, both dated 21.05.2016 (Roll No.4604339, Class XII) of Shubham Kumar Patra and issue the same afresh within specified time.

For Petitioner : Mr.M.Chidambaram
For Respondents : Mr.G.Nagarajan (for R1 & R2)
Mr.M.Vaidhyanathan (for R3)

O R D E R

The petitioner's son "Shubham Kumar Patra" studied in Kendriya Vidyalaya, AF Station, Avadi, Chennai and he successfully completed the Higher Secondary Course. Even though, the petitioner gave his name correctly at the time of admission to school as Samir Kumar Patra, the petitioner's name has been wrongly noted as "Samir Patra" omitting the middle name of "Kumar". Therefore, the petitioner gave requisition to the Principal, Kendriya Vidyalaya/third respondent herein to make correction of the petitioner's name in his son's 10th and 12th standard mark sheets and in the Transfer Certificate. The said request was forwarded to the second respondent which rejected the petitioner's claim contending that the correction as sought for by the petitioner is not in consonance with the school records. The said order is being challenged before this court.

2. Heard Mr.M.Chidambaram, learned Counsel appearing for the petitioner, Mr.G.Nagarajan, learned counsel appearing for the 1st and 2nd respondents and Mr.M.Vaidhyanathan, learned counsel appearing for the 3rd respondent.

3. The petitioner is working in Air force and his Service Records would prove that the petitioner's name is "Samir Kumar Patra", particularly the service records of the petitioner dated 01.02.1990, 10th pass certificate dated 31.01.1985, 12th pass certificate dated 08.07.1986, PAN card and Aadhar Card. Further, at the time of admission, in the application form, the petitioner had mentioned his name as "Samir Kumar Patra". However, by mistake it has been wrongly stated in his son's certificate as Samir Patra instead of the Samir Kumar Patra. When abundant documentary evidence, especially the certificate issued by Airforce authority would prove that the petitioner's name is Samir Kumar Patra, there is no necessity for the petitioner to give his name wrongly either to the school authority or to the CBSE authority. Assuming for a moment it has been wrongly given it should have been inadvertent mistake only. Therefore the correction as sought for by the petitioner cannot be denied. In view of that the impugned order is quashed and the second respondent is directed to consider the above mentioned document which have been relied upon by this Court to come to the conclusion that the petitioner's name is Samir Kumar Patra and issue corrected certificate to the petitioner's son, within a period of four weeks from the date of

receipt of a copy of this order. This Writ Petition is ordered accordingly. No costs. Consequently, the connected Miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The Chairman,
Central Board of Secondary Education (CBSE), Shiksha Kendra,
No.2, Community Centre,
Preet Vihar, New Delhi-110 092.
2. The Regional Officer,
Central Board of Secondary Education (CBSE)
Regional Office, No.3, (Old No.1630A)
J Block, 16th Main Road,
Anna Nagar West,
Chennai-600 040.
3. The Principal,
Kendriya Vidyalaya, AF Station,
Avadi, Chennai- 600 055.

+2cc to Mr.M.Chidambaram, Advocate SR.No.52888
+1cc to Mr.G.Nagarajan, Advocate SR.No.52624
+1cc to Mr.M.Vaidhiyanathan, Advocate SR.No.53096

सत्यमेव जयते

W.P No.18772 of 2017

GR(CO)
GN(21/08/2017)

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