

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16-11-2017

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P.No.29308 of 2017

Mr.S.Vinoth

... Petitioner

Vs

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

2.The Head Master,
Government Higher Secondary school,
Uthukottai
Thiruvallur District.

3.The Director,
Directorate of School Education,
DPI Compound, College Road,
Chennai - 600 006.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to issue fresh S.S.L.C Mark Sheets after amending the date of birth therein as 11.08.1986 in the place of 12.08.1986 and further direct the respondents to issue a fresh amended Transfer Certificate after incorporating the date of birth therein as 11.08.1986 in the place of 12.08.1986 and the petitioner's father's name as P.Sathyamurthy in the place of M.Murthy.

For Petitioner : Mr.V.S.Jagadeesan

For Respondents : Mr.T.M.Pappiah,
Special Government Pleader.

O R D E R

The petitioner was born on 11.08.1986 at Chennai and his father's name is P.Sathyamurthy and mother's name is Thenmozhi. His father died in a road accident on 26.01.1995. Subsequently, his mother also died. The petitioner has passed 10th standard examination and therefore, Transfer Certificate was issued by the school on 09.06.2003. In the Transfer Certificate, instead of mentioning his father's name as P.Sathyamurthy, it had been wrongly mentioned as M.Murthy and his date of birth was mentioned as 12.08.1986 instead of 11.08.1986 in his Transfer Certificate and 10th standard mark sheet. In this regard, the petitioner gave a representation on 11.10.2017 to amend his father's name and date of birth in his Transfer Certificate and date of birth in his 10th standard mark sheet.

2.Heard Mr.V.S.Jagadeesan, learned counsel appearing for the petitioner and Mr.T.M.Pappiah, learned Special Government Pleader.

3.The only objection made by the learned Special Government Pleader is that the petitioner has filed this present writ petition after 30 years. However, this Court perused the records and it is found that the petitioner was born on 11.08.1986 as evident from the birth certificate issued by the Corporation of Chennai on 10.07.1986. Further, the very same certificate would also reveal that the petitioner's father's name is Sathyamurthy and mother's name is Thenmozhi. When the certificate, especially the birth certificate reveals that the petitioner was born on 11.08.1986 and his father's name is P.Sathyamurthy, in the transfer certificate, by mistake the petitioner's father's name has been wrongly mentioned as M.Murthy and also the date of birth has been wrongly mentioned as 12.08.1986. In any event, since the facts and records are otherwise, the mistake/wrong committed in the school records in respect of the petitioner's father's name as well as his date of birth, should be rectified.

4.Since the petitioner's date of birth has been wrongly mentioned in the his 10th standard mark sheet, the first respondent has to amend the mark sheet and give a fresh one to the petitioner. Similarly, the second respondent has to mention the petitioner's father's name as P.Sathyamurthy instead of M.Murthy. Further, the petitioner is directed to give fresh application along with this order and original documents to the first and second respondents and on receipt of the same, the 1st and 2nd respondents, after verification and in the light of the

order passed by this Court, shall amend the certificates and issue fresh certificates to the petitioner, within a period of two weeks thereafter.

5.With the above directions, this writ petition is disposed. No costs.

6.For reporting compliance, post the matter after six weeks.

Sd/-
Deputy Registrar (CS-)

//True Copy//

Sub Assistant Registrar

sai/tkp

To

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

2.The Head Master,
Government Higher Secondary school,
Uthukottai
Thiruvallur District.

3.The Director,
Directorate of School Education,
DPI Compound, College Road,
Chennai - 600 006.

+1cc to Mr.V.S.JAGADESAN Advocate, S.R.No. 81312
+1cc to the Government Pleader, S.R.No. 81670

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TR(06/12/2017)

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