

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2017

CORAM:

THE HON 'BLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Writ Petition No.44621 of 2016

Veeramanikandan

... Petitioner

Versus

The Secretary,
State Board of School Examination
(Secondary Education),
Department of Government Examination,
Chennai-06.

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of Mandamus, directing the respondent to correct the petitioner age in the 10th Standard Mark Sheet as 02.03.1996 instead of 02.07.1995 pursuant to the representation dated 08.12.2016.

For Petitioner : Mr.Muruganantham

For Respondents : Mr.V.Anandhamurthy, AGP

ORDER

The Writ Petition has been filed seeking to issue a writ of Mandamus, directing the respondent to correct the petitioner age in the 10th Standard Mark Sheet as 02.03.1996 instead of 02.07.1995 pursuant to the representation dated 08.12.2016.

2. According to the petitioner, he studied B.E. Degree Course at Kumaraswamy College of Engineering in Gobichettypalayam during the year 2012-2016 and for the purpose of employment in abroad, he applied for the grant of passport. While so, his family members noticed some discrepancy with regard to his age mentioned in the school and college certificates. Actually, his date of birth is 02.03.1996, but in the school records, it was wrongly mentioned as 02.07.1995. In order to correct the exact date of birth in the school and higher secondary level and college, the petitioner gave a representation dated 25.09.2015 to the respondent herein and the copies were marked to the Director of Higher Secondary Education and the respective schools where he studied 10th and 12th standards. Since no action was taken, the petitioner filed W.P.No.35991/2015 before this Court and by an order dated 06.11.2015, this Court directed the respondent to consider his representation dated 25.09.2015 within a period of six months from the date of receipt of the said order.

3. When things stood thus, the respondent herein sent a letter dated 07.01.2016 stating that with regard to the correction of the date of birth in the mark sheet, the same can be done based on the documents submitted in the school. Thereafter, the petitioner submitted the Birth Certificate and other documents to Diamond

Jubilee Higher Secondary School, Gobichettipalaym where he studied up to X Standard. From the school, after completing the formalities, it was sent to the District Educational Officer, Gobichettipalayam and in the month of March, 2016, from the office of the District Educational Officer, Gobichettipalaym, it was sent to the respondent office. But the same is still pending without passing any orders. Hence, the petitioner caused a lawyer notice dated 05.12.2016 to the respondent in the form of representation by RPAD which was duly received by the respondent. Since no action is forthcoming, the petitioner is before this Court with this Writ Petition.

4. Heard the learned Counsel for the petitioner and the learned Additional Government Pleader appearing for the respondent.

5. A perusal of the typed set of papers would disclose that for change of his date of birth as 02.03.1996 instead of 02.07.1995, as directed by this Court in W.P.No.35991/2015 dated 06.11.2015, the petitioner was asked to submit the necessary documents to the school where he studied 10th Standard by the respondent. Accordingly, it appears that he has submitted all the relevant documents to the school, where he studied X Standard,

who in turn, forwarded the same to the District Educational Officer, Gobichettipalayam. Further, it appears that a letter in Na.Ka.No.209685/B7(1)/2015 dated 27.01.2016 was sent to the petitioner by the Joint Director and Secretary, State Board of School Examination (Secondary Education) intimating that after the relevant records are forwarded to the District Educational Officer through the Headmaster of the School, the corrections will be carried out as required by the petitioner. Though all the formalities have been completed as stated above, till date, the respondent has not passed any order in this case and the same is pending with him.

6. In view of the above, the respondent herein is directed to consider the relevant documents submitted by the petitioner and pass appropriate orders on merits and in accordance with law with regard to change of his date of birth as sought for by him, within a period of eight weeks from the date of receipt of a copy of this Order.

7. The Writ Petition is disposed of accordingly. No costs.

18.04.2017

tsi

To

The Secretary,
State Board of School Examination
(Secondary Education),
Department of Government Examination,
Chennai-06.

PUSHPA SATHYANARAYANA, J.
tsi

W.P.No.44621 of 2016

18/04/2017

<http://www.judis.nic.in>